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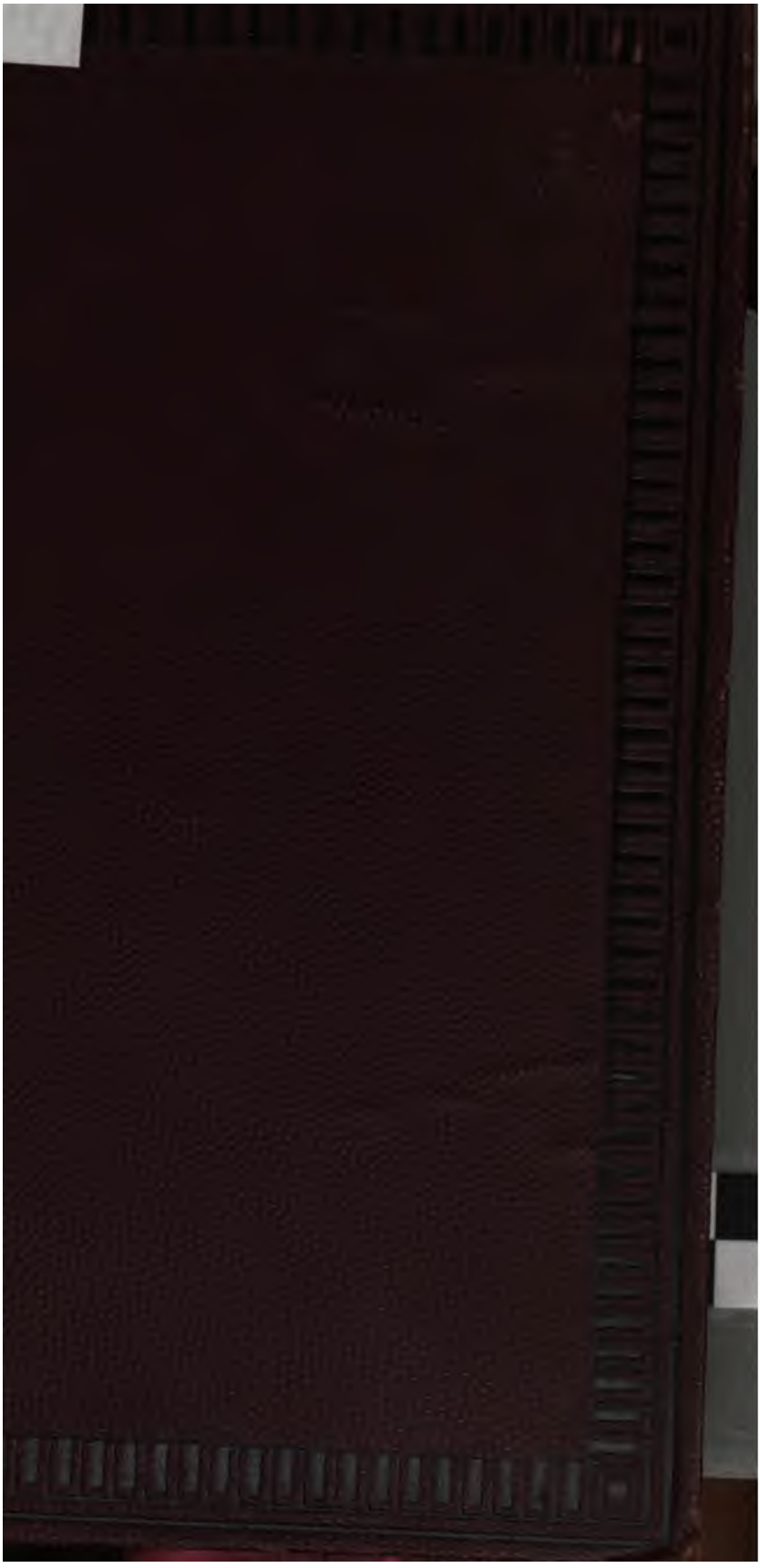

HISTORY OF ENGLAND

IN THE

XVIIITH CENTURY

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IN THE

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A

HISTORY OF ENGLAND

IN THE

EIGHTEENTH CENTURY

BY

WILLIAM EDWARD HARTPOLE LECKY

VOL. IV.

LONDON
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HISTORY OF ENGLAND

IN

THE EIGHTEENTH CENTURY.

CHAPTER XIV.

WHEN General Howe sailed from Boston for Halifax on March 17, 1776, he was accompanied by rather more than 7,000 soldiers, besides 2,000 sailors and marines and about 1,500 loyalist refugees, while the army of Washington amounted to 21,800 men, of whom 2,700 were sick. The evacuation, though immediately due to the capture of Dorchester Heights, was not altogether involuntary, for the English Ministers had some time before authorised and counselled him to leave Boston and repair to a Southern port, though they left the period to his discretion. In April, Washington left Boston, and on the 13th of the month he arrived at New York, which now became the great centre of the forces of the Revolution. Several months passed with but little stirring action on either side. The Americans were busily employed in calling out and organising their forces, in arresting and imprisoning the loyalists, who were very numerous about New York, and in constructing powerful lines of entrenchment on Long Island for the defence of the city. Recruits came in slowly. Desertions, jealousies, and quarrels continued with little abatement, and the disastrous news of the result of the expedition against Canada and the appearance of small-pox among the troops had thrown a great damp upon American patriotism.[1] In the beginning of July, Col. Reed, the adjutant-

[1] Washington's *Works*, iii. 466.

general of the forces, wrote to a member of Congress that the American army was now less than 6,000 men, all of whom, from the general to the private, were exceedingly discouraged. Soon, however, several thousand volunteers or militiamen arrived from the country about New York, from Connecticut, Pennsylvania, Delaware, and Maryland. On August 3, Washington's army was officially reckoned at 20,537 men, of whom, however, nearly 3,600 were sick or on furlough. By August 26 about 1,500 more men had come in. They were, however, badly clothed, imperfectly armed, and for the most part almost without discipline or military experience. General Howe in the meantime was drawing nearer to New York. He passed from Halifax to Sandy Hook, and from Sandy Hook to Staten Island, where he was joined by the fleet from England under his brother, Lord Howe. Troops which came from Virginia and South Carolina, regiments from England and the West Indies, and a large body of newly enlisted German [illegible] soon filled his attenuated ranks, and he found himself at the head of little less than 30,000 well-appointed soldiers. On August 22 and 23 between 15,000 and 20,000 men were landed without opposition on Long Island, and on the [illegible] the American army which was [illegible] the entrenchments. [illegible]

[illegible]

[illegible]

and it had for some time been foreseen. On September 2 Washington wrote from New York a letter to the President of the Congress, in which he suggested no less a measure than the deliberate destruction of this great and wealthy commercial town. 'Till of late,' he said, 'I had no doubt in my own mind of defending this place; nor should I have yet, if the men would do their duty, but this I despair of. . . . If we should be obliged to abandon the town, ought it to stand as winter quarters for the enemy? They would derive great conveniences from it on the one hand; and much property would be destroyed on the other. . . . At present I daresay the enemy mean to preserve it if they can. If Congress, therefore, should resolve upon the destruction of it, the resolution should be a profound secret, as the knowledge of it will make a capital change in their plans.'[1]

Such a suggestion, emanating from such a man, furnishes a remarkable comment upon the indignation so abundantly expressed by the revolutionary party at the burning of Falmouth and Norfolk at the time when these little towns were actually occupied by troops who were firing upon the English. If preparations for burning New York were not, as has been alleged, actually made before the Americans evacuated the city, it is at least certain that such a step was at this time openly and frequently discussed.[2] Jay, who was one of the most conspicuous of the New York patriots, was of opinion that not only the city, but the whole surrounding country, should be reduced to ruin,[3] and the former measure was strongly advocated by Greene, one of the most popular of the American generals. 'The City and Island of New York,' he wrote, ten days before the surrender, 'are no objects to us. We are not to put them in competition with the general interest of America. Two-thirds of the property of the city and the suburbs belong to

[1] Washington's *Works*, iv. 74.

[2] In a letter dated Aug. 17, 1776, a loyalist who had escaped from New York wrote:—'Every means of defence has been concerted to secure the city and whole island of New York from an attack of the royal army. Should General Howe succeed in that enterprise, his antagonist, Mr. Washington, has provided a magazine of pitch, tar, and combustibles, to burn the city before he shall retreat from his present station.'—Moore's *Diary of the Revolution*, i. 288. On Aug. 23, Washington wrote to the Convention of New York that 'a report now circulating that if the American army should be obliged to retreat from this city, any individual may set it on fire,' was wholly unauthorised by him.—Washington's *Works*, iv. 58.

[3] *Life and Correspondence of Joseph Reed*, i. 235.

Tories. . . . I would burn the city and suburbs, and that for the following reasons.' He then proceeds to enumerate the military advantages that would ensue, and adds, 'all these advantages would result from the destruction of the city, and not one benefit can arise to us from its preservation, that I can conceive.'[1] Joseph Reed, who was Adjutant-General of the American army, was also strongly in favour of burning New York—'a city,' he said, 'the greater part of whose inhabitants are plotting our destruction.'[2] Happily for its own reputation, happily perhaps for its influence in America, Congress rejected the counsel, and New York fell intact into the hands of the English.[3] But the knowledge of the design had spread abroad, and there were men who were quite ready to carry it into effect. Shortly after midnight, on the morning of September 21, fires burst out simultaneously in several parts of New York. The church bells had all been carried away by Washington to be turned into cannon, so there was great difficulty in spreading the alarm. The fire-engines were in bad repair, and before the fire could be extinguished about a fourth part of the town was reduced to ashes. Several women and children perished in the flames, and many hundreds of families were reduced in an hour from comfort to beggary. But for the admirable efforts of English soldiers under General Robertson, and of sailors who landed from the fleet, assisted by a sudden change of wind, it is probable that nothing would have remained of the future capital of America. Men with combustibles in their hands were seized and killed either by the soldiers or the populace. Tryon, the English Governor of New York, expressed his firm belief that the conflagration had been deliberately prepared with the full knowledge of Washington before the Americans had left the town, and had been executed by officers of his army, some of whom 'were found concealed in the city.' In this conjecture he was undoubtedly mistaken. The letters of Washington show that he had no knowledge of the conflagration, but few impartial judges will question the distinct assertion of General Howe that the fire was,

[1] Washington's *Works*, iv. 85–86. This letter was written on Sept. 5, 1776.

[2] *Life of J. Reed*, i. 213.

[3] 'The Congress having resolved that it [New York] should not be destroyed.'—Washington's *Works*, iv. 86.

beyond all question, an incendiary one, and it is almost equally certain that it owed its origin to the revolutionary party.[1]

The superiority of the English over the Americans at Long Island, both in numbers, in arms, and in military experience, was so great that the defeat reflected no shadow of discredit upon the beaten army, who appear to have fought with great courage and resolution; but the extreme anarchy and insubordination that still reigned within the ranks, and the great want of real patriotism and self-sacrifice that was displayed, boded ill to the revolutionary cause. In the letter to which I have already referred, written by Colonel Reed before the battle, we have a vivid picture of the condition of the American army. 'Almost every villainy and rascality,' he wrote, 'is daily practised with impunity. Unless some speedy and effectual means of reform are adopted by Congress our cause will be lost. As the war must be carried on systematically, you must establish your army upon a permanent footing, and give your officers good pay, that they may be, and support the character of, gentlemen, and not be driven by a scanty allowance to the low and dirty arts which many of them practise to filch the public of more money than all the amount of the difference of pay. It is not strange that there should be a number of bad officers in the continental service when you consider that many of them were chosen by their own men, who elected them not for a regard to merit, but from the knowledge they had of their being ready to associate with them on the footing of equality. It was sometimes the case that when a company was forming, the men would choose those for

[1] See, on this fire, the description sent by Governor Tryon to Lord George Germaine, in the *Documents relating to the History of New York*, viii. 686–687, and some interesting contemporary accounts in Moore's *Diary*, i. 311–315. See, too, Washington's *Works*, iv. 100, 101. Stedman speaks of the conflagration as the accomplishment of a settled plan of the Americans formed before the evacuation, and he states that several cartloads of bundles of pine-sticks dipped in brimstone were found next day in cellars to which the incendiaries had not time to set fire. He adds that about 1,100 houses were burnt.—Stedman's *Hist.*, i. 208, 209. In that very interesting book the *History of New York*, by the loyalist Judge Jones, who was present when the event took place, there is an account of the conflagration in which it is attributed without any question to the revolutionists.—Jones's *History of New York*, i. 120, 121, and the editor has collected a great number of contemporary documents supporting the same conclusion (pp. 611–619). General Greene had predicted that, if Washington was obliged to retire, 'two to one, New York is laid in ashes.' *Life of J. Reed*, i. 213.

officers who consented to throw their pay into a joint stock with the privates, from which captains, lieutenants, ensigns, sergeants, corporals, drummers, and privates drew equal shares. Can it be wondered at, that a captain should be tried and broken for stealing his soldiers' blankets? or that another officer should be found shaving his men in the face of characters of distinction. . . . Had I known the true posture of affairs, no consideration would have tempted me to have taken an active part in this scene. And this sentiment is universal.'[1] The letters of Washington at this time are full of complaints of the quarrels between the soldiers of the different provinces, of the numerous desertions in the most critical periods of the campaign, of the constant acts of insubordination, of the complete inefficiency of the militia.[2] The defeat at Long Island had totally demoralised them. 'The militia, instead of calling forth their utmost efforts to a brave and manly opposition in order to repair our losses, are dismayed, intractable, and impatient to return. Great numbers of them have gone off, in some instances almost by whole regiments, by half ones, and by companies at a time.' 'Their want of discipline and refusal of almost every kind of restraint,' 'their humours and intolerable caprice,' their 'entire disregard of that order and subordination necessary to the well-being of an army,' their 'impatience to get home,' and their 'abominable desertions' were rapidly infecting the regular continental troops.[3] On one occasion a body of New York militia under Colonel Hay simply refused to obey his commands or to do duty, saying that 'General Howe had promised them peace, liberty, and safety, and that is all they want.'[4] There was so little unity of action between the Congress and the local legislatures that, while the former offered a bounty of ten dollars to those who would enlist for a year in the continental service, the particular States sometimes offered a bounty of twenty dollars to the militia who were called out for a few months, and it was in consequence scarcely possible to obtain recruits for the more serious military service.[5] This competition, indeed, between the Congress and the separate

[1] Stedman, i. 206, 207. See too the *Life of Reed*, i. 243.

[2] See Washington's *Works*, iv. 3, 7, 37, 89, 90, 105.

[3] Ibid. pp. 72, 73, 89, 94, 95, 157.

[4] Ibid. p. 162.

[5] Ibid. i. 207; iv. 73.

States continued during a great part of the war; and as late as 1779, when Franklin was endeavouring to borrow money from Holland, he complained bitterly of the difficulties he encountered through the rivalry of particular States which were applying at the same time for loans for their own purposes, and not unfrequently offering higher interest.[1]

To all these difficulties which beset the path of Washington must be added the widespread disaffection to the American cause which was manifest in the State of New York. The legal legislature of the province had indeed been superseded in 1775 by a Provincial Convention elected and governed by the revolutionists, and it passed a resolution that all persons residing in the State of New York who adhered to the King and Great Britain 'should be deemed guilty of treason and should suffer death.'[2] A fierce mob was active in hunting down suspected Tories, and they had introduced the brutal New England punishment of carrying their victims astride upon iron bars;[3] but the bulk of the property of New York belonged to loyalists, and they were very numerous, both among the middle classes of the town and in the country population. Before the arrival of the English, New York gaol was crowded with suspected loyalists, and among them were many of the first characters in the town. English recruiting agents penetrated even into the camp of Washington, and a plot was discovered for seizing his person.[4] When Howe landed at Staten Island he was warmly welcomed by the inhabitants, who at once furnished him with all that he required, and came forward in numbers to take the oath of allegiance.[5] When Washington was driven from Long Island, almost the whole population came forward gladly to testify their loyalty to the Crown,[6] and a corps of several hundred loyalists recruited in the province was serving in the English

[1] Franklin to the Committee of Foreign Affairs, May 26, 1779.—*American Diplomatic Correspondence*, iii. 88–91.

[2] Ramsay, i. 295.

[3] Moore's *Diary*, i. 288.

[4] Washington's *Works*, i. 181.

[5] Governor Tryon to Lord George Germaine, July 8, 1776.—*Documents relating to the History of New York*, viii. 681.

[6] 'I am sorry to say that from the best information we have been able to obtain, the people of Long Island have since our evacuation gone generally over to the enemy and made such concessions as have been required; some through compulsion, I suppose, but more from inclination.'—Washington to Trumbull, Washington's *Works*, iv. 88. Moore's *Journal*, i. 304.

army.[1] The Queen's County, which comprehended the north side of Long Island, was especially noted for its loyalty. It refused to send a delegate to the Continental Congress or the Provincial Convention, and at the end of the war nearly a third part of its inhabitants are said to have emigrated to Nova Scotia.[2] The conduct of the American troops, who were almost wholly unaccustomed to discipline, was, as might have been expected, far from faultless. 'The abandoned and profligate part of our own army,' wrote Washington, 'lost to every sense of honour and virtue, as well as their country's good, are by rapine and plunder spreading ruin and terror wherever they go, thereby making themselves infinitely more to be dreaded than the common enemy they are come to oppose.' In a confidential letter to the President of the Congress he complained that except for one or two offences the utmost penalty he was empowered to inflict was thirty-nine lashes; that these, through the collusion of the officers whose duty it was to see them applied, were sometimes rather 'a matter of sport than punishment,' and that in consequence of the inadequacy of the penalty 'a practice prevails of the most alarming nature, which will, if it cannot be checked, prove fatal both to the country and to the army.' 'Under the idea of Tory property, or property that may fall into the hands of the enemy, no man is secure in his effects and scarcely in his person.'[3] American soldiers were constantly driving innocent persons out of their houses by an alarm of fire, or by actually setting them on fire, in order more easily to plunder the contents, and all attempts to check this atrocious practice had proved abortive. The burning of New York was generally attributed to New England incendiaries. The efforts of the British soldiers to save the city were remembered with gratitude, and, although some parts of the province of New York still obeyed the Provincial Congress, there is little doubt that in the city and in the country around it, the British were looked upon not as conquerors but as deliverers.[4]

[1] *Documents relating to the Hist. of New York*, viii. 681, 687.

[2] Jones's *Hist. of New York*, i. 107–108.

[3] Washington's *Works*, iv. 118, 119.

[4] On Feb. 11, 1777, Governor Tryon wrote to Lord George Germaine from New York:—'The success that accompanied my endeavour to unite the inhabitants of this city by an oath of allegiance and fidelity to his

Washington, in October 1776, expressed his grave fear that in case of any unfavourable turn in American affairs the enemy might recruit soldiers faster than the revolutionists.[1] It was one of the great miscalculations of the English Government that they entertained a similar expectation, and hoped to suppress the rebellion mainly by American troops. Attempts were made to produce a rising among the Scotch emigrants in Virginia. Officers were authorised to raise provincial corps for the service of the King, and on a single occasion equipments were sent out from England for no less than 8,000 provincial troops. In the course of the struggle it is, no doubt, true that many thousands took arms for the King either in isolated risings or in the regular army,[2] but the enlistments were much fewer than was expected, and the hope that America would supply the main materials for the suppression of the revolt proved wholly chimerical. One of the first acts of the Whig party in every colony was to disarm Tories, and the promptitude and energy with which this measure was accomplished, combined with the unfortunate issue of several small risings in the southern colonies, paralysed the loyalists. Nor was it surprising that they showed great reluctance and hesitation. That strong dislike to military life which pervaded the colonial

Majesty and his government has met my warmest wishes; 2,970 of the inhabitants having qualified thereto in my presence. . . . . I have the satisfaction to assure your lordship, as the invitation to the people to give this voluntary testimony of their loyalty to his Majesty and his government was made even without a shadow of compulsion, it gave me peculiar satisfaction to see the cheerfulness with which they attended the summons. I believe there are not 100 citizens who have not availed themselves of the opportunity of thus testifying their attachment to Government. The mayor, since I went through several wards, has attested 50 more men (and is daily adding to the number), which makes the whole sworn in the city 3,020, or 3,030, which, added to those attested on Staten Island, in the three counties on Long Island, and in Westchester county . . . makes the whole amount to 5,600 men. . . . I have assured the General that should he remove all his troops from the city, there would not be the least risk of a revolt from the inhabitants, but on the contrary was confident large numbers would take a share in the defence of the town against the rebels.'—*Documents relating to the Colonial History of New York*, viii 697.

[1] Washington's *Works*, iv. 132. 'One unhappy stroke will throw a powerful weight into the scale against us, enabling General Howe to recruit his army as fast as we shall ours; numbers being so disposed and many actually doing so already' (p. 134). In another letter he reports that he has learned from Long Island that 'the enemy are recruiting a great number of men with much success,' and expresses his fear that 'in a little time they will levy no inconsiderable army of our own people' (p. 127). See, too, on the American loyalists, pp. 519–523, and Galloway's *Examination*.

[2] Some attempts to estimate the number of loyalists who actually took arms will be found in Sabine's *American Loyalists*, 58–61.

population was nowhere more conspicuous than in the class of society in which loyal sentiments chiefly prevailed, and the American loyalists risked much more than the American insurgents. In addition to the Acts punishing with death, banishment, forfeiture of goods, or imprisonment, those who assisted the English, every State passed Acts of Attainder, by which the properties of long lists of citizens who were mentioned by name were confiscated. Pennsylvania and Delaware, following the example of the Irish Jacobite Parliament of 1689, gave the attainted person the option of appearing to take his trial for treason by a specified date, but usually the confiscations were absolute and unconditional. In Connecticut the simple offence of seeking royal protection or absenting himself from his home and country made the loyalist liable to the confiscation of all his property. In New York, in addition to an Act confiscating all the goods of fifty-nine persons, three of whom were women, and making them liable to the penalty of death if they were found in the State, a heavy tax was imposed on every parent who had a loyalist son.[1] One of the first acts of the revolutionary party when they occupied Boston was to confiscate and sell all property belonging to loyalists, and in a country of farmers and yeomen most property was immovable. The loyalist exposed himself to the undying animosity of a large proportion of his neighbours; he exposed his family to those savage mobs who by plunder and torture were everywhere supporting the revolution, and he was certain to incur absolute ruin not only in case of the defeat of the English cause, but even in case of the temporary evacuation of the district in which his property was situated. If the rebellion collapsed, it would probably do so speedily through the want of men and money and through the burden of the sufferings it produced, and it was not necessary for him to intervene and to excite against himself the hatred of those who would continue to be his neighbours. If the rebellion was prolonged, an American resident could estimate more truly than Englishmen how difficult it was to subdue an enormous, half-opened country, how absolutely impossible it was that the English power

[1] See a long list of these Acts of Attainder in Sabine's *American Loyalists*, pp. 78–81. See, too, Jones's *History of New York*, ii. 269, 270.

could be, for purposes of protection, a living reality over more than a very small section of it. Nor were the moral inducements to enter into the struggle very strong. Thousands who detested the policy of the New Englanders, and who longed to see the colonies reconciled to England, reprobated the Stamp Act and many other parts of English policy, and felt in no way bound to draw the sword against their countrymen, or to add new fuel to a civil war which they had done their utmost to avert.

The remaining military operations of 1776 may be told in a few words. Washington, after his defeat, avoided any general action, though several slight skirmishes took place. The whole of New York Island was evacuated with the exception of Fort Washington, which, by the advice of General Greene, and contrary to the opinion of Washington, it was determined to defend. The British, however, took it by storm in a single day, and they captured in it 2,700 American soldiers and a large quantity of artillery and military stores, which the Americans could ill spare. Immediately after this brilliant success, a powerful detachment under Lord Cornwallis crossed the Hudson, entered New Jersey, to which Washington had fled, and prepared to besiege Fort Lee; but the garrison hastily evacuated it, leaving their artillery and stores in the hands of the British, and the whole province open to invasion. The Provincial Convention still held its meetings in distant towns of the Province of New York, and a few American soldiers under Lee continued in the province; but the main operations were now transferred to the Jerseys.

But before following the fortunes of the war in that province, it is necessary to enumerate the chief operations in other parts of the colonies. Schuyler, who commanded the Northern army, which had just evacuated Canada, though he appears to have been a capable officer, was unpopular with the New England troops, and in the summer of 1776 the Congress, without absolutely superseding him, gave the supreme command to Gates, who was by birth a New Englander. The defeated army had fallen back on the strong fort of Ticonderoga; but the Americans also held the fort of Crown Point, which was fifteen miles distant, and they had constructed with great energy a small fleet,

which for a time gave them the command of Lake Champlain. Gates appointed Benedict Arnold to command it; and this general, who had already shown himself a soldier of great daring and capacity, exhibited the same qualities in the novel functions of naval commander. The English at length constructed a fleet far more powerful than that of the Americans, and in October they compelled the Americans to evacuate Crown Point, and they totally defeated the American fleet. Only one or two vessels were, however, captured, for Arnold succeeded in running the others on shore, in burning them before they could fall into the hands of the English, and in conducting the soldiers who manned them safely to Ticonderoga. The winter was now drawing in, and General Carleton, who commanded the English, made no attempt to besiege Ticonderoga, but fell back into winter quarters on the Canadian frontier.

In June 1776 General Clinton, at the head of some troops which had lately arrived from Ireland, and supported by a fleet under Sir Peter Parker, attempted to capture Charleston, which was the wealthiest and most important town in the southern colonies. Had he succeeded, he would have stopped one of the chief sources of military preparations in the South, and would have probably called into activity the strong loyalist party which had already shown itself in South Carolina. Charleston had, however, recently been protected by a very strong fortification on Sullivan's Island, and it was skilfully defended by General Lee, the most experienced of all the soldiers in the service of the revolution. In attacking the fort, three frigates ran aground, and although two were saved, it was found necessary to burn the third; and after several attempts the difficulties of the enterprise were found to be so great that it was abandoned. In July, Parker and Clinton sailed for New York.

The successful defence of Charleston was a great encouragement to the revolution in the Southern colonies, and for two and a half years no new attempt was made to re-establish in those quarters the dominion of England. In December, however, the same commanders who had made the abortive attempt upon Charleston descended upon Rhode Island, and occupied it without resistance. One of the provinces most hostile to British rule was thus effectually curbed, considerable impediments

were thrown in the way of the naval preparations of the enemy, and a good harbour was secured for the British; but military critics have doubted, or more than doubted, whether these advantages justified the British commander in detaining at least 6,000 soldiers for nearly three years inactive in the island.

The employment of Indians in the war was now on both sides undisguised. I have related in a former chapter what appears to me to be the true history of its first stages, and in the Canadian campaign the Indians gave great assistance to the English. Actuated, according to the English view, by a strong personal attachment to Sir William Johnson and Colonel Guy Johnson, and by an earnest loyalty to the Crown, which had so often protected them against the encroachments of the colonists—according to the American view by a mere selfish desire to support the side on which there was most to gain and least to lose,[1] the Indians along the Canadian frontier remained steadily loyal; and it is but justice to add that their fidelity was never more conspicuous than in the first period of the campaign, when it appeared as if the forces of Montgomery and Arnold would have carried everything before them. In May 1776 the Congress resolved that 'it is highly expedient to engage the Indians in the service of the United Colonies;' in the following month they authorised General Schuyler to raise 2,000 Indians for his service in Canada, and Washington to employ Indians to any extent he thought useful; and they at the same time promised a reward to all Indians who took English officers or soldiers prisoners.[2] Schuyler found it impossible to shake the allegiance of the Canadian Indians; but in July 1776 Washington wrote an urgent letter to the General Court of Massachusetts, begging them to enlist 500 or 600 Indians for his own army.[3] It is a remarkable fact, however,

[1] Compare the letters of Col. Guy Johnson in the *Documents relating to the Colonial History of New York*, vol. viii. (especially pp. 656, 657), and a note in Washington's *Works*, iii. 407. Ramsay (*History of the American Revolution*, ii. 138) attributes the fidelity of the Canadian Indians chiefly to the impression the expulsion of the French had made upon their minds, and to the non-importation agreement of 1774, which put it out of the power of the Americans to supply the Indians with the articles of commerce they chiefly valued. There is a striking statement of the unwavering fidelity of the Mohawks to England during the war, of the great sufferings they endured for her, and of the ungrateful way in which they were abandoned at the peace, in Jones's *History of New York*, i. 75, 76.

[2] *Secret Journals of Congress*, May 25, June 17, July 8, 1776.

[3] Washington's *Works*, iii. 430–431, 460. See, too, v. 273, 274.

that in nearly every period of the struggle, and in every part of the States, the great majority of the Indians, if they took part in the war, ranged themselves on the side of the Crown, and England obtained in consequence much the larger share both of the benefit and of the discredit of their assistance.[1] The English Government had certainly no desire to instigate or encourage acts of atrocity, and they strongly exhorted the Indians to abstain from such acts; but at the same time they were perfectly aware that it was often wholly impossible to control them; they deliberately calculated upon the terrors of Indian warfare as a method of coercion; they were not content with employing Indians in their own armies, and under the supervision of their own officers, but urged them to independent attacks against the colonists, and there were men in the English service who would have readily given them uncontrolled license against the enemy.[2] Shortly before the attack upon Charleston, a very formidable conspiracy of loyalists and Indians to invade Virginia and the Carolinas was discovered.

[1] Ramsay, ii. 139.

[2] A disgraceful affair occurred in Canada in the summer of 1776, when several American prisoners were killed and others plundered by Indians after capitulation, and the English officer declared his inability to control the savages (Washington's *Works*, iv. 1, 2). Feb. 15, 1777, Col. Guy Johnson wrote to Lord George Germaine:—'The terror of their name without any acts of savage cruelty will tend much to the speedy termination of the rebellion.'—*Documents relating to the Colonial History of New York*, viii. 699. On April 21, 1777, Governor Tryon wrote to Secretary Knox: 'I am exactly of opinion with Colonel La [Corne] St. Luc, who says:—"Il faut lacher les sauvages contre les miserables rebels, pour imposer de terreur sur les frontiers. Il dit de plus (mais un peu trop pour moi), qu'il faut brutalizer les affaires; assurement il est bien enragée de la mauvais traitement qu'il a reçu de les aveugles peuples"' (*sic*). Ibid. p. 707. On March 12, 1778, Col. Johnson wrote to Lord George Germaine: 'It is well known, my lord, that the colonies solicited the Indians early in 1775; that they proposed to make me prisoner, that they carried some Indians then to their camp near Boston, as they did others since, who were taken in the battle on Long Island; that the tomahawk which is so much talked of is seldom used but to smoak through or to cut wood with, and that they are very rarely guilty of any cruelty more than scalping the dead, in which article even, they may be restrained. It is also certain that no objection was made to them formerly; that the King's instructions of 1754 to General Braddock, and many since, direct their being employed, whilst some of the American colonies went further by fixing a price for scalps. Surely foreign enemies have an equal claim to humanity with others. . . . I am persuaded . . . . that I can restrain the Indians from acts of savage cruelty.' Ibid. pp. 740, 741. See, too, on this subject, the note in Washington's *Works*, v., pp. 274–276. Governor Pownall, who was intimately acquainted with Indian affairs, said 'the idea of an Indian neutrality is nonsense—delusive, dangerous nonsense. If both we and the Americans were agreed to observe a strict neutrality in not employing them, they would then plunder and scalp both parties indiscriminately.'

Mr. Stuart, who had for a long time directed the Indian affairs of the Southern colonies, was the leading agent in organising it; and it was intended to bring the Creeks and Cherokees, who inhabited lands to the west of the Carolinas and of Georgia, into the field, and to assist them by an expedition of English soldiers and by a great loyalist rising. The project was paralysed by its premature disclosure, and the great body of Indians in these parts remained passive; but the Cherokees took up arms, and waged a very savage war in the back settlements of Virginia and the Carolinas. The Southern colonists, however, soon collected an army for their defence, and not only cleared their own territory, but crossed the Alleghanies, traversed the Indian settlements, burnt the towns, destroyed the crops, and soon compelled the savages to sue for peace, and to cede a great part of their land to South Carolina. It was noticed that the barbarities practised by the Indians in this campaign had a great effect in repressing the loyalist sentiment in the Southern colonies.[1]

Another subject which greatly occupied the attention of the Americans was the indispensable necessity of creating a navy for the purpose of protecting their commerce and injuring that of the enemy. The Americans have at all times shown a remarkable aptitude for the seafaring life, and they did not wait for the Declaration of Independence to take measures for the construction of an independent navy. In the last three months of 1775 Congress ordered seventeen cruisers to be built, varying in form from ten to thirty-six guns. In February 1776 the first American squadron, consisting of eight small ships—the largest carrying twenty-four guns—sailed under Commander Hopkins from Delaware Bay, and in October 1776 twenty-six American vessels were either built or building.[2] A few larger vessels were afterwards constructed in France, but the American navy appears to have been almost wholly manned by natives, and in this respect it furnished a great contrast to the army, in which the foreign element was very prominent. The popularity, however, of the regular naval force could never compete with that of privateering, which was soon practised from the

[1] *Annual Register*, 1777, p. 122.

[2] Cooper's *History of the Navy of the United States*, i. pp. 76, 77, 89, 90, 101, 102.

New England and Pennsylvanian coasts on a scale and with a daring and success very rarely equalled. The zest with which the Americans threw themselves into this lucrative form of enterprise is a curious contrast to their extreme reluctance to take up arms in the field. 'Thousands of schemes of privateering,' wrote John Adams in August 1776, 'are afloat in American imaginations.'[1] In the beginning of the war this kind of enterprise was especially successful, for a swarm of privateers were afloat before the English appear to have had the smallest suspicion of their danger. The names are preserved of no less than sixteen privateers belonging to Rhode Island alone, which were on the sea in 1776[2]; and it is probable that these form but a small fraction of the total number. At the end of 1776 no less than 250 West Indiamen had been captured,[3] the injury already done to the West India trade was estimated in England at no less than 1,800,000*l.*, and the rate of insurance had risen to 28 per cent., which was higher than at any period in the last war with France and Spain.[4] The leading merchants speculated largely in privateers, and it was noticed that 'the great profit of privateering was an irresistible temptation to seamen,'[5] and a formidable obstacle to enlistment in the army. At the end of 1776, Robert Morris, in describing the gloomy prospects of the revolution, complained that 'in the Eastern States they are so intent upon privateering that they mind little else;'[6] but when Chastellux visited Philadelphia a few years later, he found this distinguished patriot and merchant himself so occupied with the trade that he regarded a week as a calamitous one in which no prize was brought in by his cruisers, and his fortune had risen in the most disastrous period of the American war to between 300,000*l.* and 400,000*l.*[7] It was found impossible to

[1] Adams's *Familiar Letters*, p. 208. See, too, pp. 220, 226, 230.

[2] Arnold's *History of Rhode Island*, ii. 386.

[3] American *Diplomatic Correspondence*, i. 248.

[4] Ibid. p. 262. See, too, *American Remembrancer*, 1776, Part 2, p. 267.

[5] American *Diplomatic Correspondence*, ii. 93.

[6] Ibid. i. 248.

[7] Chastellux, *Travels in North America*, i. 199-201. According to a note, however, appended to the English translation of this book, a large part of the great fortune of Morris was due to other causes, and especially to the manner in which he employed his position of Financier-General to the colonies, to subserve his private interests. See, too, Bancroft's *Hist. of the United States*, x. 566, 567.

man the navy without laying an embargo on the privateers, and in 1776 the Assembly of Rhode Island proposed to the other States a general embargo until the quotas of enlistments required by the Congress for the army had in each State been filled.[1] It may be questioned, however, whether American enterprise could have been on the whole more profitably employed, for successful privateering brought great wealth into the country, impoverished the enemy, and added very largely to the popularity of the war.

It needed, indeed, all the popularity that could be derived from this source, for the latter months of 1776 form one of the darkest periods in the whole struggle. The army of Washington had dwindled to 3,000 and even to 2,700 effective men. Except two companies of artillery belonging to the State of New York that were engaged for the war, the whole of the continental troops had only been enlisted for a year, and when their time of service expired in November and December, it appeared as if none of them would consent to re-enlist or to postpone their departure. In the face of an enemy of overwhelming numbers, in the very agonies of a struggle upon which the whole future of the contest depended, company after company came forward claiming instant dismissal. Fourteen days after the capture of Fort Washington had deprived the Americans of nearly 3,000 soldiers, a large division of the army took this course. Every hope of success seemed fading away. An urgent despatch was sent to Gates, who commanded the remains of the army which had invaded Canada, to send assistance from Ticonderoga. Unfortunately two of the regiments which he sent were from New Jersey, their time of service had expired, and as soon as they found themselves in their native State they disbanded to a man.[2]

General Lee had been left with some troops at the east side of Hudson River, and Washington now urgently summoned him to his assistance. Lee had served with much distinction in the English army in America during the last war, and his fierce energy had gained for him among the Indians the title of 'the spirit that never sleeps.' He returned to England after

[1] Arnold's *Hist. of Rhode Island*, ii. 388, 389.
[2] Ramsay, i. 312. Hildreth, iii. 159.

the capture of Canada, served in 1762 in Portugal with the auxiliary forces against the Spaniards, and performed at least one brilliant exploit in the capture of a Spanish camp near Villa Velha, on the Tagus. Having, however, quarrelled with his superiors, and being disappointed in his hopes of promotion, he passed into the Polish service, where he became a major-general. He afterwards spent some years in travelling, fought several desperate duels, and was everywhere noted for his violent and turbulent character; but he was also an accomplished linguist and a man of some literary talent, and he was one of the many persons to whom the letters of Junius were ascribed. He travelled in America in an early stage of the colonial dispute, and appears to have conceived a genuine enthusiasm for the American cause; but he was even more of an adventurer than an enthusiast, and was much disappointed at being placed in the American army not only below Washington, but also below Ward,—'a fat old gentleman,' as he complained, 'who had been a popular churchwarden, but had no acquaintance whatever with military affairs.' General Ward retired shortly after the recovery of Boston, and the star of Lee seemed for a time rising very high. His military experience was eminently useful in organising the American army. His defence of Charleston against the fleet of Sir Peter Parker in the summer of 1776 had been skilful and successful; and having afterwards been summoned to the north, his advice is said to have decided the evacuation of New York Island, which probably saved the American army from capture. His self-willed, impracticable, and insubordinate temper, however, soon became apparent; he was extremely jealous of Washington, whose ability he appears to have greatly underrated, and after the capture of Fort Washington he thought the situation nearly hopeless. 'Between ourselves,' he wrote to his friend Gates, 'a certain great man is most damnably deficient. He has thrown me into a situation where I have my choice of difficulties. If I stay in this province I risk myself and army, and if I do not stay, the province is lost for ever. I have neither guides, cavalry, medicines, money, shoes, nor stockings. I must act with the greatest circumspection. Tories are in my front, rear, and on my flanks. The mass of the people is strangely contaminated. In short, unless something which I do not expect

turns up, we are lost. Our councils have been weak to the last degree.' For some time he positively disobeyed the summons of his chief, hoping to strike some independent blow near New York. At length, slowly and reluctantly, he entered New Jersey; but having on December 13 gone some way from his army to reconnoitre, he fell into the hands of a British party and was captured. To the officers who took him he expressed his disgust at 'the rascality of his troops,' his disappointment at the deep division of opinions in America, and his conviction that 'the game was nearly at an end.'[1]

The incident struck terror into the American army at a time when no additional discouragement was needed. Washington, closely pursued by a greatly superior force under Lord Cornwallis, retreated successively to Newark, to Brunswick, to Princeton, to Trenton, and to the Pennsylvanian side of the Delaware. Seldom has a commander found himself in a more deplorable position, for in New Jersey and in Pennsylvania, as well as in New York, the bulk of the people were either utterly indifferent or positively hostile to his cause. 'The want of exertion,' he wrote on December 5, 'in the principal gentlemen of the country, or a fatal supineness and insensibility of danger . . . have been the causes of our late disgraces.' The militia he described as 'a destructive, expensive, and disorderly mob.'[2] On the 12th he wrote that, a great part of the continental troops having insisted on abandoning him, he had 'hoped to receive a reinforcement from the militia of the State of New Jersey sufficient to check the further progress of the enemy,' but had been 'cruelly disappointed.' 'The inhabitants of this State, either from fear or disaffection, almost to a man refused to turn out.'[3] In Pennsylvania, things were a little, but only a little, better. About 1,500 men of the militia of Philadelphia marched to Trenton, 'but the remainder of the province continues in a state of supineness, nor do I see any likelihood of their stirring to save their own capital, which is undoubtedly General Howe's great object.'[4]

[1] For the fullest particulars about this remarkable man see an interesting monograph called *The Treason of Charles Lee*, by George H. Moore (New York, 1860). The life and writings of Lee were published in one volume in 1794.

[2] Washington's *Works*, iv. 202, 203.

[3] Ibid. p. 212.

[4] Ibid. p. 213.

'With a handful of men,' he wrote a few days later, 'compared to the enemy's force, we have been pushed through the Jerseys without being able to make the smallest opposition and compelled to pass the Delaware.'[1] 'Instead of giving any assistance in repelling the enemy, the militia have not only refused to obey your general summons and that of their commanding officers, but, I am told, exult at the approach of the enemy and on our late misfortunes.'[2] 'I found . . . no disposition in the inhabitants to afford the least aid.' 'We are in a very disaffected part of the province, and between you and me I think our affairs are in a very bad condition; not so much from the apprehension of General Howe's army as from the defection of New York, the Jerseys, and Pennsylvania. In short, the conduct of the Jerseys has been most infamous. Instead of turning out to defend their country and affording aid to our army, they are making their submission as fast as they can. If the Jerseys had given us any support we might have made a stand at Hackinsac, and, after that, at Brunswick; but the few militia that were in arms disbanded themselves and left the poor remains of our army to make the best we could of it.' 'If every nerve is not strained to recruit the new army with all possible expedition I think the game is pretty nearly up.' 'The enemy are daily gathering strength from the disaffected.' 'I have no doubt but General Howe will still make an attempt upon Philadelphia this winter. I see nothing to oppose him a fortnight hence.'[3] Clothes, shoes, cannon, entrenching tools were imperatively needed. A great part of the military stores of the Revolution had been captured at Fort Washington. Even small arms were beginning to fail. 'The consumption and waste of these,' wrote Washington, 'this year have been great. Militia and flying-camp men coming in without them were obliged to be furnished or become useless. Many of these threw their arms away; some lost them; whilst others deserted and took them away.'[4] And in the midst of all this distress there was incessant jealousy and recrimination, dishonesty and corruption; 'the different States, without regard to the qualifications of an officer, quarrelling about the appointments and nominating such as are

[1] Washington's *Works*, iv. 215.
[2] Ibid. p. 223.
[3] Ibid. pp. 230, 231, 234.
[4] Ibid. 238.

not fit to be shoeblacks, from the local attachments of this or that member of the Assembly;'[1] 'the regimental surgeons, many of whom are very great rascals, countenancing the men in sham complaints to exempt them from duty, often receiving bribes to certify indispositions with a view to procure discharges or furloughs,' quarrelling incessantly around the beds of the sick, and 'in numberless instances' drawing 'for medicines and stores in the most profuse and extravagant manner for private purposes;'[2] the troops, in fine, so full 'of local attachments and distinctions of country' that after vainly trying to unite them by 'denominating the whole by the greater name of American,' Washington acknowledged that the task was an impossible one, and that the best way of governing his army was by stirring the emulation of the contingents of the different States.[3]

It seemed at this time not only probable but almost certain that the American Revolution would have collapsed; and if it had done so, it is strange to think how completely the commonplaces of history would have been changed, and how widely different would now have been the popular estimate of the rival actors both in England and in America. In the course of a few months the English had driven the Americans from Canada and from New York. They had taken possession of Rhode Island without opposition. They had overrun the whole of the Jerseys, and nothing but the Delaware saved Philadelphia from capture. It is almost certain that with the most ordinary vigilance and enterprise Howe could have compelled the chief American army to surrender in Long Island, and that if he had at once pursued Washington across the Delaware, Philadelphia would have immediately fallen into his hands. In either of these cases the American Revolution would probably have ended in 1776. In all the provinces which had been conquered, except Rhode Island, the feelings of the people had been at least as favourable to the British as to the revolutionists, and the more closely the correspondence of the time is examined the more evident it will appear that, in the middle colonies at least, those who really

[1] Washington's *Works*, iv. 184.

[2] Ibid. 116, 117. One regimental doctor was drummed out of his regiment at the American camp at Harlem for selling the soldiers certificates that they were unfit for duty, at the rate of 8*d.* a man.—Moore's *Journal*, i. 315.

[3] Washington's *Works*, iv. 236.

desired to throw off the English rule were a small and not very respectable minority. The great mass were indifferent, half-hearted, engrossed with their private interests or occupations, prepared to risk nothing till they could clearly foresee the issue of the contest. In almost every part of the States—even in New England itself—there were large bodies of devoted loyalists.[1] The different States still regarded themselves as different countries, and one of the sentiments that most strongly pervaded the majority of them was dislike of the New Englanders.[2] Washington, in New Jersey, issued a stringent proclamation ordering the inhabitants along the march of the English to destroy all hay and corn which they could not remove, but the order was nearly universally disobeyed, and Howe never at this time found the smallest difficulty in obtaining all necessary supplies.[3] Had the Americans as a whole ever looked upon the English as the Dutch looked upon the Spaniards, and as the Poles look upon the Russians, had they manifested in the struggle of the revolution but a tenth part of the earnestness, the self-sacrifice, the enthusiasm which they displayed on both sides in the war of Secession, Howe would at least have been enormously outnumbered. But during the whole of the campaign in New Jersey the army of Washington was far inferior in numbers to that which was opposed to him, and it was so ragged, inexperienced, and badly armed that it had rather the appearance of a mob than of an army. Howe issued a proclamation offering full pardon to all rebels who appeared before the proper authorities within sixty days and subscribed a declaration of allegiance, and great multitudes, including most of the chief persons in the State, gladly availed themselves of it. At Philadelphia itself there was so much disaffection that Washington was obliged to detach a portion of his shrunken army for the purpose of intimidating those who were opposing all defensive works against the British, and he was in almost daily expectation

[1] Thus Governor Tryon writes to Lord G. Germaine, Dec. 31, 1776, giving the report of two of His Majesty's Council who had just returned from Connecticut: 'They tell me, from the intelligence they had opportunities to collect, they are positive a majority of the inhabitants west of Connecticut river are firm friends to Government. This report I can give the more credit to from the number of Connecticut men that enlist in the provincial corps now raising.'—*Documents relating to the Colonial History of New York*, viii. 694.

[2] Adams's *Works*, iii. 87. Hildreth, iii. 147.

[3] Galloway's *Examination*, pp 17,18.

that the British would make an attempt to pass the Delaware, and only too certain that if they succeeded in doing so, Philadelphia would be at their mercy.

The Congress regarded the capture of the town as so imminent that it fled precipitately to Baltimore. Probably the last member who remained in Philadelphia was Robert Morris, afterwards well known for the great ability he displayed in organising the finances of the Union, and he wrote on December 21, 1776, a report of the condition of affairs to the American Commissioners at Paris, which gives a most vivid and instructive picture of the light in which the struggle now appeared to the ablest of its partisans. He describes the ruinous consequences of the capture of Fort Washington, the interception of the despatches of Washington, the sickness that was raging in the army, the want of warm clothing in the coldest period of the winter, the headlong flight through New Jersey before an overwhelming force of the enemy, the disappointment of all hopes of assistance from the people. 'Alas, our internal enemies had by various arts and means frightened many, disaffected others, and caused a general languor to prevail over the minds of almost all men not before actually engaged in the war. Many are also exceedingly disaffected with the constitutions formed for their respective States, so that, from one cause or other, no Jersey militia turned out to oppose the march of an enemy through the heart of their country; and it was with the utmost difficulty that the Associators of this city could be prevailed on to march against them.' The capture of Lee had been a new and terrible blow, but the party he commanded, and also 500 men returning from the Lakes under General Gates, had just joined Washington; and as the army of Howe had been scattered, the one hope of the Americans was that they might be able to cut off the detached parties of the British, and thus compel them to abandon New Jersey. 'Unless that task is performed, Philadelphia—nay, I may say Pennsylvania—must fall.' But the difficulties were almost insuperable. The dispositions of the people were such that the English had excellent intelligence, while the revolutionists could scarcely obtain any. The proclamation of Howe 'had a wonderful effect, and all Jersey, or far the greater part of it, is supposed to have made their submission. . . . Those who do so

of course become our most inveterate enemies; they have the means of conveying intelligence, and they avail themselves of it.' Philadelphia was in a state of complete panic, and numbers of its citizens were taking flight. 'We are told the British troops are kept from plunder,[1] but the Hessians and other foreigners, looking upon that as the right of war, plunder wherever they go, from both Whigs and Tories without distinction, and horrid devastations they have made.' The rapid depreciation of the continental currency in itself threatened 'instant and total ruin to the American cause.' 'The enormous pay of our army, the immense expenses at which they are supplied, . . . and, in short, the extravagance that has prevailed in most departments of the public service, have called forth prodigious emissions of paper money.' Unless some brilliant success immediately changed the prospects of the war, nothing, in the opinion of this most competent observer, but the speedy assistance of France could possibly save the American cause. 'Our people,' he continues, 'knew not the hardships and calamities of war when they so boldly dared Britain to arms; every man was then a bold patriot, felt himself equal to the contest, and seemed to wish for an opportunity of evincing his prowess; but now, when we are fairly engaged, when death and ruin stare us in the face, and when nothing but the most intrepid courage can rescue us from contempt and disgrace, sorry I am to say it, many of those who were foremost in noise shrink coward-like from the danger, and are begging pardon without striking a blow.'[2]

Nothing, indeed, could now have saved the American cause but the extraordinary skill and determination of its great leader, combined with the amazing incapacity of his opponents.

[1] The good conduct ascribed to the British soldiers is not borne out by other authorities. Washington speaks of the devastations and robberies in New Jersey as equally the work of the British and the Hessians, and he notices that at Princeton, where some very scandalous acts were perpetrated, there were no German soldiers (Washington's *Works*, iv. 255, 268, 309, 310). Galloway, who had particularly good means of ascertaining the truth, also ascribes the outrages indifferently to both nations (*Examination before the House of Commons*, pp. 39–40). Judge Jones, in his loyalist *Hist. of New York* (i. 114), speaking of the plunderings by the British army near that city, says:—'The Hessians bore the blame at first, but the British were equally alert.' Jones notices, however, that the army under General Carleton was honourably distinguished for its good conduct (Ibid. 90, 91).

[2] American *Diplomatic Correspondence*, i. 233–246.

There is no reason to doubt that Sir William Howe possessed in a fair measure the knowledge of the military profession which books could furnish, but not one gleam of energy or originality at this time broke the monotony of his career, and to the blunders of the Jersey campaign the loyalists mainly ascribed the ultimate success of the revolution. The same want of vigilance and enterprise that had suffered the Americans to seize Dorchester heights, and thus to compel the evacuation of Boston, the same want of vigilance and enterprise that had allowed them when totally defeated to escape from Long Island, still continued. When Washington was flying rapidly from an overwhelming force under Lord Cornwallis, Howe ordered the troops to stop at Brunswick, where they remained inactive for nearly a week. In the opinion of the best military authorities, but for that delay the destruction of the army of Washington was inevitable. The Americans were enabled to cross the Delaware safely because, owing to a long delay of the British general, the van of the British army only arrived at its bank just as the very last American boat was launched.[1] Even then, had the British accelerated their passage, Philadelphia, the seat and centre of the Revolutionary Government, would have certainly fallen. The army of Washington was utterly inadequate to defend it. A great portion of its citizens were thoroughly loyal. The Congress itself, when flying from Philadelphia, declared the impossibility of protecting it, and although Washington had burnt or removed all the boats for many miles along the Delaware, there were fords higher up which might easily have been forced, and in Trenton itself, which was occupied by the English, there were ample supplies of timber to have constructed rafts for the army.[2] But Howe preferred to wait till the river was frozen, and in the meantime, though his army was incomparably superior to that of Washington in numbers, arms, discipline, and experience, he allowed himself to undergo a humiliating defeat. His army was scattered over several widely separated posts, and Trenton, which was one of the most important on the Delaware, was left in the care of a large force of Hessians, whose discipline had been greatly relaxed. Washington perceived that unless he struck some brilliant blow

[1] See Stedman, i. 220–223. [2] Jones's *History of New York*, i. 124–128.

before the close of the year, his cause was hopeless. The whole province was going over to the English. As soon as the river was frozen he expected them to cross in overwhelming numbers, and in a few days he was likely to be almost without an army. At the end of the year the engagement of the greater part of his troops would expire, and on December 24 he wrote to the President of the Congress, 'I have not the most distant prospect of retaining them a moment longer than the last of this month, notwithstanding the most pressing solicitations and the obvious necessity for it.'[1] Under these desperate circumstances he planned the surprise of Trenton. 'Necessity,' he wrote, 'dire necessity, will, nay, must justify an attack.' It was designed with admirable skill and executed with admirable courage. On the night of Christmas 1776, Washington crossed the Delaware, surprised the German troops in the midst of their Christmas revelries, and with a loss of only two officers and two privates wounded, he succeeded in capturing 1,000 prisoners and in recrossing the river in safety.[2]

The effect of this brilliant enterprise upon the spirits of the American army and upon the desponding, wavering, and hostile sentiments of the population was immediate. Philadelphia for the present was saved, and the Congress speedily returned to it. Immediately after the victory a large force of militia from Pennsylvania joined the camp of Washington,[3] and at the end of December the disbandment of the continental troops, which a week before he had thought inevitable, had been in a great measure averted. 'After much persuasion,' he wrote, 'and the exertions of their officers, half, or a greater proportion of those [the troops] from the eastward have consented to stay six weeks on a bounty of ten dollars. I feel the inconvenience of this advance, and I know the consequences which will result from it, but what could be done? Pennsylvania had allowed the same to her militia; the troops felt their importance and would have their price. Indeed, as their aid is so essential and not to be dispensed with, it is to be wondered at, that they had not estimated it at a higher rate.'[4] 'This I know is a most extravagant price when compared with the time of service, but . . . I thought it

[1] Washington's *Works*, iv. 244.
[2] Ibid. pp. 247–252.
[3] Ibid. iv. 249, 251.
[4] Ibid. pp. 254, 255.

no time to stand upon trifles when a body of firm troops inured to danger was absolutely necessary to lead on the more raw and undisciplined.'[1] No money was ever better employed. Recrossing the Delaware, Washington again occupied Trenton, and then, evading an overwhelming British force which was sent against him, he fell unexpectedly on Princeton and totally defeated three regiments that were posted there to defend it. The English fell back upon Brunswick and the greater part of New Jersey was thus recovered by the Americans. A sudden revulsion of sentiments took place in New Jersey. The militia of the province were at last encouraged to take arms for Washington. Recruits began to come in. The manifest superiority of the American generalship and the disgraceful spectacle of a powerful army of European veterans abandoning a large tract of country before a ragged band of raw recruits much less numerous than itself, changed the calculations of the doubters, while a deep and legitimate indignation was created by the shameful outrages that were perpetrated by the British and German troops. Unfortunately these outrages were no new thing. An ardent American loyalist of New York complains that one of the first acts of the soldiers of General Howe when they entered that city was to break open and plunder the College library, the Subscription library, and the Corporation library, and to sell or destroy the books and philosophical apparatus; and he adds, with much bitterness, that during all the months that the rebels were in possession of New York no such outrage was perpetrated, that during a great part of that time the regular law courts had been open, and that they had frequently convicted American soldiers of petty larcenies, and punished them with the full approbation of their officers.[2] In New Jersey the conduct of the English was at least as bad as at New York. A public library was burnt at Trenton. A college and a library were destroyed at Princeton, together with an orrery made by the illustrious Rittenhouse, and believed to be the finest in the world.[3] Whigs and Tories were indiscriminately plundered. Written protec-

[1] Washington's *Works*, iv. 256.

[2] Jones's *History of New York*, i. 136, 137.

[3] *Annual Register*, 1777, p. 13. 'After this time,' says the same writer, 'every load of forage that did not come from New York was sought or purchased at the price of blood.' —Ibid. p. 21.

tions attesting the loyalty of the bearer were utterly disregarded, and men who had exposed themselves for the sake of England to complete ruin at the hands of their own countrymen found themselves plundered by the troops of the very power for which they had risked and sacrificed so much. Nor was this all. A British army had fallen back before an army which was manifestly incomparably inferior to it, and had left the loyalists over a vast district at the mercy of their most implacable enemies. Numbers who had actively assisted the British were obliged to fly to New York, leaving their families and property behind them. Already loyalist risings had been suppressed in Maryland, in Delaware, and in Carolina, and had been left unsupported by the British army. The abandonment of New Jersey completed the lesson. A fatal damp was thrown upon the cause of the loyalists in America from which it never wholly recovered.[1]

In the meantime the Congress was busily engaged in raising a new continental army to replace the troops that were disbanded. The language of Washington on this subject was very decided. He again and again urged in the strongest terms the absolute impossibility of carrying on the war successfully mainly by militia, and he declared his firm conviction that, on the whole, this branch of the service had done more harm than good to the cause. He was equally positive that no system of short enlistments would be sufficient, and that the continental troops should be raised for the whole duration of the war. To do this it was necessary to offer high pay and a large bounty, but it was a measure of capital importance, and no sacrifice must be grudged. The class of officers appointed must be wholly changed. The pay of the officers must be greatly raised both absolutely and in its proportion to the pay of the privates. The system of allowing soldiers to appoint their own officers must be abandoned, and no persons who were not gentlemen should be chosen. It is curious, in tracing the foundation of the great democracy of the West, to notice the emphasis with which Washington dwelt on the danger to discipline of 'the soldiers and officers being too nearly on a level,' and on the facility with which degrees of rank were transferred from civil to military life. 'In your choice of officers,' he wrote to one

[1] See Galloway's *Examination*, pp. 23, 65.

of his colonels, 'take none but gentlemen. Let no local attachments influence you.'[1]

It was only with great hesitation and reluctance that the Congress could be induced to adopt these views. They hated the notion of a standing army. They dreaded the expense of additional bounties, and the unpopularity of a great difference between officers and privates, and a strong jealousy of Washington prevailed with many members. John Adams expressed his firm conviction that if the system of enlistments for the war were adopted, few men, except mercenaries of the lowest type, would serve in the American army.[2] At length, however, in September 1776 the Congress agreed to vote that eighty-eight battalions, each consisting of 750 men, should be enlisted for the war. It entrusted the enlistment of these battalions to the different States, but assigned to each its quota and gave to the States the right of appointing colonels and all inferior officers, and it at the same time revised the articles of war and made them somewhat more stringent. A bounty of twenty dollars was offered to each recruit, and future advantages were very lavishly promised. Every private was to be entitled at the end of his service to 100 acres of land, while larger quantities, proportioned to their rank, were promised to the officers. Congress also offered eight dollars to every person who should obtain a recruit; and in spite of the strong protest of Washington, several of the States offered additional and separate bounties for enlistment. It was found, however, impossible, even on these terms, to obtain any considerable number of recruits for the whole duration of the war; so it was determined to admit recruits for three years, who were to have no land, but were entitled to all the other advantages. Congress also, after some hesitation, gave Washington an extraordinary power of

[1] Washington's *Works*, iv. 111, 139–140, 269.

[2] He says: 'I never opposed the raising of men during the war. . . . . but I contended that I knew the number to be obtained in this manner would be very small in New England, from whence almost the whole army was derived. A regiment might possibly be obtained of the meanest, idlest, most intemperate, and worthless, but no more. . . . . Was it credible that men who could get at home better living, more comfortable lodgings, more than double wages in safety, not exposed to the sicknesses of the camp, would bind themselves during the war? . . . In the middle States, where they imported from Ireland and Germany so many transported convicts and redemptioners, it was possible they might obtain some.'—Adams's *Works*, iii. 48.

raising and organising sixteen additional battalions of infantry, three regiments of cavalry, three regiments of artillery, and a corps of engineers; and as the State appointment of officers proved very prejudicial, they gave Washington a dictatorial power over officers under the rank of Brigadier-General.[1] But in spite of all efforts to encourage enlistment, a large proportion of the continental soldiers were raised by compulsion. The States passed laws drafting the militia, and compelling every person drafted to enter the military service or to find a substitute under pain of imprisonment. In Virginia a law exempted every two persons who could find a recruit from all military service, and servants were manumitted who consented to enter the army.[2]

The difficulty of obtaining soldiers was by no means the only one that weighed upon the Congress. The powers of this body were so little defined and so imperfectly acknowledged that it had scarcely any coercive authority over the separate States. Prior to the Declaration of Independence, Congress was merely regarded as an organisation for enabling them to co-operate in resisting the encroachments or coercive measures of Great Britain, and the delegates had been severely limited by the instructions of their constituents. Since the Declaration of Independence, Congress had become the Government of the country, but its authority rested only upon manifest necessity and general acquiescence, and had no real legal basis. It was not even a representation of the different State Assemblies. The great majority of its members were elected by Provincial Conventions, summoned with every sort of irregularity, and often representing very small sections of the people.[3] It was obvious that such a body could not strain allegiance or impose sacrifices. It was only in November 1777 that the Articles of Confederation were voted by Congress, which settled its constitution and powers, and defined the respective limits of the central and State governments. But these Articles of Confederation were not ratified by any of the States till July 1778,

[1] Hildreth, iii. 164, 166. Washington's *Works*, i. 205–207, 225.

[2] Galloway's *Examination*, p. 18, 19.

[3] Ibid. p. 11. The editor of this *Examination* says: 'In no colony where these delegates were not appointed by the Assemblies, which were in four only, were they chosen by one-twentieth part of the people.'

and they were not ratified so as to become obligatory on all the States till March 1781.[1] In the meantime Congress exercised the authority of a sovereign power, but it was obliged to be more than commonly careful not to arouse the jealousy of the States. Several questions of great difficulty had indeed already arisen. It was necessary to determine the proportion of men and money to be contributed by each State, and there were dangerous controversies about the exact boundaries of the different States, and upon the question whether the Crown lands should be regarded as common property at the disposition of Congress for the public good, or as State property subject only to the local legislatures.[2] It was only by great skill, management, and forbearance that these questions were solved or evaded, and a unity and consistency of action imparted to the whole machine.

The first necessity of the war was to raise money to carry it on. A great portion of the military stores had to be manufactured or imported, and it was very evident that in no part of the world was it less possible than in America to count upon gratuitous service. But the first step in the quarrel with Great Britain had been due to the attempt of the British Parliament to tax America, and a great impatience of taxation had been one of the chief supports of the revolutionary party. Under these circumstances, Congress did not venture to claim the power of directly imposing any tax, and at the beginning of the contest the separate States, which had an indisputable right of self-taxation, did not venture to exercise it for military purposes, knowing how large a part of the population were lukewarm or hostile to the revolution. During the first two years of the war no additional taxes of any importance appear to have been imposed, in spite of the earnest entreaties of Congress.[3] But money was imperatively needed, and the plunder of loyal subjects went but a small way in providing it. A foreign loan was obviously impossible until the revolutionary government had acquired some aspect of permanence and security. The only course that remained was the issue of paper money, and this Congress authorised with the general implied assent of the

[1] Story *On the Constitution*, book ii. ch. 1. [2] Ibid. book ii. ch. 2. [3] Bolles' *Financial Hist. of the United States*, pp. 195–197.

States. Five issues, amounting in the whole to fifteen million dollars, had been made by the end of July 1776. Congress apportioned the debt thus incurred to the several States upon the basis of population, and each State was primarily bound to raise taxes for the gradual redemption of its portion of the debt, and if it failed, the other States were liable to the creditor. At first this expedient was very popular, and the struggle was undertaken under the belief that it would be only a short one. But already, in July 1776, there were alarming symptoms of that depreciation of the continental paper which was perhaps the most serious danger to the cause of the revolution, and it was aggravated by the failure of an attempt which was made to raise a loan of 5 millions of dollars at 4 per cent.

The financial question, indeed, was, perhaps, the most formidable which the party of the Revolution had to encounter. America started with the great advantage of a prosperous and economical people, and of a government entirely free from the profuse extravagance and corruption of the English political system. In a remarkable memorial drawn up by Franklin, he reminded the Continental nations that the Colonies of America, having borrowed 10,000,000 dollars in the last French war, had paid off the whole of this debt in 1772, and that the entire amount expended by the civil governments of three millions of people was only 70,000*l.*[1] But the very payment of the debt, though it greatly raised the credit of the country, had left it with but little money, and it was estimated that the whole amount of specie in the Colonies amounted to less, probably to much less, than twelve millions of dollars.[2] The Congress judiciously threw open the ports, as far as the British cruisers would allow it, to commerce, and the American privateers brought in much wealth to the nation, but the revenues derived from these sources could not balance the expense of the war. At the end of 1777, Congress advised the different States to confiscate and sell for public purposes the property of all who had abandoned their allegiance to the State and passed over to the enemy, and this measure was energetically pursued. In some States, the estates and rights of married women, of widows and minors, and of persons who had died within the

[1] American *Diplomatic Correspondence*, iii. 16, 18.

[2] Bolles's *Financial Hist. of the United States*, pp. 34, 45, 46.

territory possessed by the British, were forfeited, and great masses of property were thus brought into the public treasury.[1] But in spite of all such palliatives, the financial stress was rapidly increasing, and measures of the most violent character were taken to arrest it. Already, at the end of 1776, Robert Morris described the proportionate rate of paper money to specie as from 2 or 2½ to 1, and the depreciation naturally advanced with accelerated speed.[2] It was not uniform in all the States, but in 1778 the rate was 5 or 6 to 1. In 1779 it was 27 or 28 to 1, and in the beginning of 1780, when new measures were taken on the subject, it was 50 or 60 to 1.[3] Its necessary consequence was a corresponding elevation of all nominal prices, and an utter confusion of all pecuniary arrangements which had been made before the war. Multitudes of quiet and industrious men, who had been perfectly indifferent to the Stamp Act and the tea duty, found themselves brought face to face with ruin, and a cry of indignation and distress rose up over the land. 'The country people,' wrote a French officer from Philadelphia, 'are so exasperated at the high price everything bears, that unless some change soon takes place they threaten not only to withhold provisions from the town, but to come down in a body and punish the leaders.'[4]

In the beginning of 1777, Congress, with the warm approval of the great body of the people, determined to enter into a course which the more sagacious men in America knew to be little better than insane. It imagined that it could regulate all prices by law, and maintain them at a level greatly below that which the normal operation of the law of supply and demand had determined. Laws with this object were speedily made in all the States. The prices of labour, of food, of every kind of manufacture, of all domestic articles, were strictly regulated, and committees employed to see that these prices were not exceeded. The measure, of course, aggravated the very evil it was

[1] Bolles's *Financial History of the United States*, pp. 56, 57.

[2] American *Diplomatic Correspondence*, i. 239.

[3] Ramsay's *History of the American Revolution*, ii. 129.

[4] Quoted in Bolles's *Financial History of the United States*, p. 159. Many details about the prices of the chief articles of consumption will be found in that very charming book, *Familiar Letters of John Adams and his Wife during the Revolution.*

intended to diminish. Goods that were already very rare and greatly needed were carefully concealed and withdrawn from sale lest they should be purchased at prices below their real value. In most cases the law was disregarded, and sellers continued to sell, sometimes secretly, sometimes openly, at prices higher than the law permitted, charging an additional sum to compensate them for the risk they incurred. Mob violence directed against the 'engrossers, monopolisers, and forestallers,' combinations of the more patriotic merchants binding themselves to sell only at the authorised prices, newspaper denunciations and occasional legal punishments, were all insufficient and impotent; and in September 1777, John Adams wrote that in his sincere opinion the Act for limiting prices, if not repealed, would 'ruin the State, and introduce a civil war.' At last, in October 1778, Congress voted that 'all limitations of prices of gold and silver be taken off;' but the States continued for some time longer to endeavour to regulate prices by legislation.[1]

Still more terrible in their consequences than the attempted limitation of prices were the laws which were passed by the different States at the invitation of Congress, making paper money legal tender, compelling all persons to receive it in full payment of debts or obligations contracted before the Revolution, and pronouncing those who refused to do so enemies of the liberty of America. Few laws have spread a greater amount of distress, dishonesty, and injustice through a great community. All those who subsisted on life-incomes or fixed rents or interest of money found their incomes rapidly reduced to a small fraction of their previous value; while, on the other hand, vast wealth was suddenly created, as the whole debtor class were enabled to free themselves from their obligations. Debts incurred in gold were paid off in depreciated paper which was only worth a twentieth, a thirtieth, a fortieth, a fiftieth part of its real value. They were legally extinguished by a payment which was in reality not 1*s.* or 6*d.* or even 3*d.* in the £. In a country where debtors were extremely numerous, and where the whole social and economical system rested on the relation

[1] See a full history of this subject in Bolles's *Financial History of the United States*, pp. 158–173.

of debtor and creditor, this law opened the door to the most enormous and far-reaching fraud, but it acted differently on different classes, and this difference had an important influence upon the fortunes of the Revolution. To the labourer who lived upon his daily wages, the depreciation was of little moment, especially if he had been too improvident to lay by any store for the future. Earning and spending in the same currency, the change was no disadvantage to him, and he was even benefited by the unnatural stimulus which the immense quantities of paper money thrown suddenly upon the market had given to all kinds of labour. On the other hand, the wealthy and the saving and the helpless classes were in general utterly ruined. Debts of merchants which had been contracted when goods were cheapest and had often been for years on the books, were now discharged in paper not a twentieth part of the real value. Widows and orphans in great numbers, who had been left fortunes in money, were paid off by guardians, trustees, or executors in depreciated paper. Old men who had lent out the savings of industrious lives, and had been living comfortably upon the interest, were fortunate if they did not receive back their principal shrunk to perhaps a fiftieth part of its original value. Everyone who had been sufficiently saving to lend was impoverished. Everyone who had been reckless and improvident in borrowing was enriched, and 'truth, honour, and justice,' in the emphatic words of a contemporary American historian, 'were swept away by the overflowing deluge of legal iniquity.'[1] Among the enterprising men who had thrown themselves into the first movement of the revolution were many of broken fortunes and doubtful antecedents, many ardent speculators, many clever and unscrupulous adventurers. Such men found in the violent depreciation, the local variations, and the sudden fluctuations of the currency a ready path to fortune, and they soon acquired a new and sinister interest in the continuance of the struggle. Among others, the gentleman who called himself Earl of Stirling, and who had attained the position of brigadier-general in the American service, had entered it overwhelmed with

[1] Ramsay

debt, but by availing himself of the condition of the currency, he is stated to have paid off debts amounting to nearly 80,000*l.* with 1,000*l.* of gold and silver.[1] Very seldom in the history of the world had the race for wealth been so keen, or the passion for speculation so universal, or the standard of public honesty so low. 'The first visible effect,' wrote a contemporary American economist, 'of an augmentation of the medium and the consequent fluctuation of value was a host of jockeys, who followed a species of itinerant commerce, and subsisted upon the ignorance and honesty of the country people; or, in other words, upon the difference in the value of the currency in different places. Perhaps we may safely estimate that not less than 20,000 men in America left honest callings and applied themselves to this knavish traffic.'[2] 'The manners of the continent,' wrote the Committee of Foreign Affairs in March 1778, 'are too much affected by the depreciation of our currency. Scarce an officer but feels something of a desire to be concerned in mercantile speculation, from finding that his salary is inadequate to the harpy demands which are made upon him for the necessaries of life, and from observing that but little skill is necessary to constitute one of the merchants of these days. We are almost a continental tribe of Jews.'[3] 'Speculation,' wrote Washington, 'peculation, engrossing, forestalling, with all their concomitants, afford too many melancholy proofs of the decay of public virtue.'[4] The vast gains rapidly acquired by privateering, the enormous rate of insurance, the enormous prices given for such European goods as arrived safely in America, had already produced a spirit of fierce and general gambling which the depreciation and fluctuation of the currency immeasurably increased. Immense fortunes were suddenly accumulated; and, in the gloomiest period of the struggle, Philadelphia was a scene of the wildest and maddest luxury. Many years after the peace with England had been signed, the older Americans could clearly trace in the prevailing spirit of reckless and dishonest speculation the de-

[1] Jones's *History of New York*, ii. 324.

[2] Noah Webster's *Essays*, p. 105.

[3] American *Diplomatic Correspondence*, i. 375. See, too, on the speculations by officers, *Bolles*, p. 118.

[4] Washington's *Works*, vi. 210.

moralising effects on the national character of the years of the depreciated currency.[1]

It was gradually becoming evident to intelligent observers that the war was not likely to be determined by mere hard fighting. In its first stages a decisive English victory might more than once have concluded it; but it was plain that, if the American people, or any very large proportion of them, persevered, no military expeditions could subdue them. In no country in the world was it more easy to avoid a decisive action, and the whole texture and organisation of colonial life hung so loosely together, that the capture of no single point was likely to be of vital importance. In the course of the war every important town—Boston, New York, Philadelphia, Newport, Savannah, Charleston—fell into the hands of the British, but the struggle still continued. A Rebel Convention governed a part of the State of New York at the very time when the capital and the surrounding country were in the undisputed possession of the King's army; and whole districts submitted without a struggle whenever the troops appeared, and cast off their allegiance the moment they had gone. To occupy and maintain in permanent subjection a country so vast, so difficult, and so sparsely populated; to support a great army in the midst of such a country, and 3,000 miles from England, if the people were really hostile, was absolutely and evidently impossible, and the attempt could not long be made without a ruinous expense.

The real hope of success lay in the languor, divisions, and exhaustion of the Americans themselves. A large minority detested the revolution. A large majority were perfectly

[1] Oct. 4, 1779, Franklin wrote: 'The extravagant luxury of our country in the midst of all its distresses is to me amazing.'—American *Diplomatic Correspondence*, iii. 116. Chastellux, in his *Travels in North America*, gives a vivid picture of the luxury at Philadelphia. Mr. Bolles (to whose excellent work I am indebted for most of these quotations), cites the striking description given by a modern American writer: 'Speculation ran riot. Every form of wastefulness and extravagance prevailed in town and country, nowhere more than at Philadelphia, under the very eyes of Congress; luxury of dress, luxury of equipage, luxury of the table. We are told of one entertainment at which 800*l.* was spent in pastry. As I read the private letters of those days I sometimes feel as a man might feel if permitted to look down upon a foundering ship whose crew were preparing for death by breaking open the steward's room, and drinking themselves into madness. . . . . The moral sense of the people had contracted a deadly taint. The spirit of gambling . . . . was undermining the foundations of society.'—Greene's *Historical View of the American Revolution*.

indifferent to it, or were at least unwilling to make any sacrifice for it. Jealousies and quarrels, insubordination and corruption, inordinate pretensions and ungovernable rapacity divided and weakened its supporters. The extreme difficulty of inducing a sufficient number of soldiers to enrol themselves in the army of Washington, the difficulty of procuring cannon and gunpowder and every kind of military stores, the want of woollen clothes, and of many other essential articles of European commerce, the ruin, the impoverishment, and the confusion that resulted from the enormous depreciation of the currency, and finally the impossibility of paying for the essential services of the war, made it probable that a peace party would soon gain the ascendent, and that the colonies would soon be reunited to the mother-country.

If America had been left unaided by Europe this would probably have happened. A large proportion of the States would almost certainly have dropped off, and although the war might have been continued for some time in New England and Virginia, it was tolerably evident that even there no large amount of gratuitous service or real self-sacrifice could be expected. Washington himself at one time gravely contemplated the possibility of being reduced to carry on a guerilla warfare in the back settlements. But at this most critical period foreign assistance came in to help, and it is not too much to say that it was the intervention of France that saved the cause.

I have already noticed the circumstances under which Congress in 1775 determined to seek this assistance, and the strong motives of resentment, rivalry, and interest that disposed France to accede to the request. It was in November 1775 that a committee was appointed to correspond with 'friends of America in other countries;' and early next year Silas Deane was sent to Paris as secret agent, with instructions to ascertain the dispositions of the French Court, and to endeavour to obtain arms and supplies. He arrived in Paris in July 1776, but before that date the French ministers had resolved upon their policy. Choiseul, who had watched with especial eagerness the rise of the troubles in the colonies, and who had steadily laboured to reconstruct the shattered navy of France, to maintain a close alliance between the different branches of the

House of Bourbon, and to oppose on all occasions the interests of England, had fallen from power in 1770, but he was still said to have some influence, and to have exerted it in favour of the colonies. The existing ministry was presided over by Count Maurepas, and its most powerful members were Vergennes, the minister for foreign affairs, and the illustrious Turgot, the comptroller-general.

In the beginning of 1776 Vergennes drew up a memorial on American affairs, which was laid before the King. It was written in a tone of extreme hostility to England, and although it affected to deprecate a war, its whole tendency was to urge the government to a more directly aggressive policy. The civil war that had arisen was, in the opinion of Vergennes, infinitely advantageous both to France and to Spain, in so far as it was likely to exhaust both the victors and the vanquished, but there were some grave dangers to be feared. It was possible that the English would acknowledge the impracticability of coercing America, and would enter into a policy of conciliation; and it was only too probable that in that case they would employ the great army they had collected in America to seize the possessions of France and Spain in the West Indies. Such an enterprise would be extremely popular. It would speedily efface the recollection of the domestic quarrel; it would be almost certainly successful, for the French and Spanish West Indies were practically indefensible; and it was especially likely if Chatham again became minister, as it would enable him to overthrow the arrangements of the Treaty of Paris, against which he had so bitterly protested. It was possible again, that the King of England, having conquered the liberties of America, would endeavour to subvert those of England, but he could only do so by flattering the national hatred and jealousy, and by surrounding himself with the popularity that springs from a successful foreign war. If, on the other hand, the American States became independent, it might be feared that England would seek to indemnify herself for her loss and humiliation by seizing the French and Spanish West Indies; and it was not impossible that America herself, being shut out from the English markets, might be compelled by necessity to seek in new conquests an outlet for her productions. The

Kings of France and Spain were animated by a strong love of peace, and peace must in consequence, if possible, be preserved. If, however, they had thought fit 'to follow the impulse of their interests, and perhaps of the justice of their cause . . . if their military and financial means were in a state of development proportionate to their substantial power, it would, no doubt, be necessary to say to them that Providence had marked out this moment for the humiliation of England . . . that it is time to avenge upon her the evils which, since the commencement of the century, she has inflicted upon her neighbours and rivals; that for this purpose all means should be employed to render the next campaign as animated as possible, and to procure advantages to the Americans. The degree of passion and exhaustion should determine the moment to strike the decisive blows which would reduce England to a secondary power . . . and deliver the universe from a greedy tyrant that was absorbing all power and all wealth.' This bold policy, however, of undisguised assistance the two Kings did not wish to adopt, and so another policy was submitted to the King and to his council.

'The continuance of the war for at least one year is desirable to the two crowns. To that end the British ministry must be maintained in the persuasion that France and Spain are pacific, so that it may not fear to embark in an active and costly campaign; while on the other hand the courage of the Americans should be kept up by secret favours and vague hopes which will prevent accommodation. . . . The evils the British will make them suffer will embitter their minds; their passions will be more and more inflamed by the war; and should the mother country be victorious, she will for a long time need all her strength to keep down their spirit.' To carry out this policy the ministers must 'dexterously tranquillise the English ministry as to the intentions of France and Spain,' while secretly assisting the insurgents with military stores and money, and they must at the same time strengthen their own forces with a view to a war.[1]

In order to judge the real character of the advice so frankly given, we must remember that England was at this time at

[1] See Bancroft's *History of the American Revolution.*

perfect peace with France; that she had given no provocation or reasonable pretext for hostility; that as the American colonies had not yet declared their independence, their quarrel with the mother country was as yet a purely domestic one, and also that no consideration of their welfare or of the principles they were advocating entered in the smallest degree into the motives of action of Vergennes.

By the command of the King the memorial of Vergennes was submitted to Turgot, who, in April 1776, presented a paper containing his own views of the question. Sooner or later, in the opinion of Turgot, the independence of America was a certainty, and it would totally change not only the relations of Europe with America, but also all the prevailing maxims of commerce and politics. America must necessarily be a nation of free-traders. She need not seek new conquests in order to find a market for her produce. By throwing open her own ports she would soon oblige other nations to do the same; and they would not be long in discovering that the whole system of monopoly, restriction, and dependence on which the colonial system of all European nations during the last two centuries was founded was an absolute delusion.

It is a remarkable illustration of the manner in which economical ideas were growing in Europe, that this opinion, which a few years before would have been regarded as the most extravagant of paradoxes, was in 1776 independently promulgated by the greatest French statesman of his age, and by the founder of political economy in England. Turning, however, to the immediate interests of France, Turgot considered her most pressing and immediate necessity to be peace. Her finances were so deranged that nothing but extreme and long-continued frugality could avert a catastrophe, and the foreign dangers that threatened her were much exaggerated. There was no sufficient reason to believe that the English ministers contemplated attacking her, and it was extremely unlikely that in the very probable event of England losing her colonies she would launch into a new and costly war, especially as in that case she would have lost the basis of her operations against the French West Indies. The severance of the colonies from England would not injure England, and it would be a great benefit to

the world, on account of its inevitable influence on colonial and commercial policy. 'Wise and happy will be that nation which shall first know how to bend to the new circumstances, and consent to see in its colonies allies and not subjects. . . . When the total separation of America shall have extinguished among the European nations the jealousy of commerce, there will exist among men one great cause of war the less, and it is very difficult not to desire an event which is to accomplish this good for the human race.' The immediate interests, however, of France and Spain must be judged upon narrower grounds. England was their great rival, and the policy of the English ministers was so infatuated that their success in America would be the result most favourable to French and Spanish interests. If England subdued her colonies by ruining them, she would lose all the benefits she had hitherto derived from them. If she conquered them without materially diminishing their strength, she would find them a source of perpetual weakness, for they would always be awaiting their opportunity to rebel. The true interest of France was to remain perfectly passive. She must avoid any course that would lead to war. She must give no money and no special assistance to the revolted colonists, but the ministers might shut their eyes if either of the contending parties made purchases in French harbours.[1]

Maurepas and Malesherbes supported the pacific views of Turgot, but Vergennes found the other ministers on his side, and his policy speedily prevailed. Malesherbes, discouraged at the resistance to his internal reforms, retired from the ministry in the beginning of 1776, and Turgot, who was detested by the aristocracy and disliked by the Queen, was dismissed a few months later. The French Government, while duping the English ministry by repeated and categorical assertions of their strict neutrality, subsidised the revolt; and in May 1776, nearly two months before the arrival of Silas Deane in Europe, Vergennes wrote a letter to the King, of which it is no exaggeration to say that it is more like the letter of a conspirator than of the minister of a great nation. He was about to authorise Beaumarchais to furnish the Americans with a million of livres

[1] See this memoir in Turgot's *Works*, viii. (Ed. 1809.

for the service of the English colonies. He was so anxious to preserve the secresy of the transaction that he had taken care that his letter to Beaumarchais should not be in his own handwriting or in the handwriting of any of his secretaries or clerks, and he had accordingly employed his son, a boy of fifteen, on whose discretion he could rely. He would now write to Grimaldi, the minister of Spain, proposing to him to contribute a similar amount.[1]

The reputation which literary achievement gives, so far eclipses after a few years minor political services that it is probable that only a small fraction of those who delight in the 'Marriage of Figaro' or in the 'Barber of Seville' are aware that Beaumarchais was for a time one of the most active of the confidential agents of Vergennes, and that he bore a very considerable part in the transactions that led to the independence of America. Under an assumed name, he brought a first loan of a million livres from Vergennes to the Americans. A similar sum was sent by Spain, and the money was employed in purchasing from the royal arsenals of France such munitions of war as were necessary for the army. In the course of 1776, Deane was able in this way to procure for his countrymen 30,000 stand of arms, 30,000 suits of clothes, more than 250 pieces of cannon, and great quantities of other military stores.[2] The assistance at this critical moment was of vital importance, and from this time France continued steadily, by successive loans and supplies of military munitions, to maintain the army of Washington. In September 1776, Franklin and Arthur Lee, together with Deane, were appointed commissioners at Paris for the purpose of negotiating treaties with foreign powers, and especially with France, and rather more than a year later a furious quarrel broke out between Lee and Deane, which ended in the recall of the latter, with serious imputations upon his integrity. He was replaced by John Adams, but before that time the alliance with America had been signed. The assistance of France, however, was never more valuable than in the first period of the war, while she was still at peace with England. American vessels were admitted, by the con-

[1] Flassan, *Hist. de la Diplomatie Française*, vi. 143, 144.
[2] American *Diplomatic Correspondence*, i. 131.

nivance of the ministers, into French ports with articles of commerce of which by law French merchants had a strict monopoly, and the American agents were soon able to inform the Congress that France gave the commerce of the insurgent colonies greater indulgences in her ports than the commerce of any other nation whatever.[1] Privateers were sheltered and equipped; prizes were secretly sold in the French harbours. Experienced officers, trained in the French army, were sent to America with the permission, or even at the instigation, of the French ministers, to organise or command the American forces. In the beginning of 1777 one of the ablest sea officers in France was engaged, by the permission of the minister, in superintending the construction in French harbours of ships of war for America,[2] and finally a new grant of two millions of livres from the Crown was made, the King exacting no conditions or promise of repayment, and only requiring absolute secresy.[3]

It was not possible that these things could be wholly concealed from the English Ambassador, but the comedy was boldly if not skilfully played. Vergennes professed his absolute ignorance of the despatch of military stores to America, at the very time when by his authorisation they were freely exported from the King's own arsenal. He gave orders that vessels which were pointed out as laden with such stores should be stopped, and then allowed them secretly to escape. He formally recalled the leave of absence of officers who were said to be going to America, but did not oblige them to return to their regiments. He gave orders that no prizes should be sold in the French ports, and then instructed persons about the Court to inform the American agents that this measure was necessary, as France was not yet fully prepared for war, but that they must not for a moment doubt the good-will of the Court. He even imprisoned for a time some who were too openly breaking the law, and restored some prizes which were brought too ostentatiously into French harbours, but he secretly granted 400,000 livres as a compensation to their captors, and the prisoners found no difficulty in escaping

[1] American *Diplomatic Correspondence*, i. 37, 69, 92, 93.
[2] Ibid. pp. 273, 341. [3] Ibid. p. 273.

from the prison at Dunkirk. He again and again, in every term that could be binding upon men of honour, assured the English Ambassador of the perfect neutrality and pacific intentions of France, and of the determination of the French King to observe religiously the treaties he had signed; and he at the same time steadily pressed on his naval preparations for the war.[1] If the French were somewhat slower in throwing away the mask and the scabbard than the Americans could have wished, they at least gave the colonies the assistance most needed, and, as the commissioners acutely said, the very delay was not without its compensation. 'Enjoying the whole harvest of plunder upon the British commerce, which otherwise France and Spain would divide with us, our infant naval power finds such plentiful nourishment as has increased and must increase its growth and strength most marvellously.'[2]

'All Europe,' they wrote, about this time, 'is for us.' 'Every nation in Europe wishes to see Britain humbled, having all in their turn been offended by her insolence, which in prosperity she is apt to discover on all occasions.'[3] England, under the great ministry of Pitt, had acquired an empire and a preponderance on the sea not less overwhelming and not less menacing than that which Charles V. and Lewis XIV. had acquired on land, and it had become a main object of the governing classes on the Continent to reduce it, while the merchants in every nation were looking forward with eagerness to the opening of the great field of American commerce, which had hitherto been a monopoly of England. Spain, which was greatly under the influence of France, and very hostile to England, supplied the colonies with money and with gunpowder, and gave their vessels greater trade privileges than those of any other country,[4] though without any real wish for American independence. The Grand Duke of Tuscany secretly removed all duties from American com-

[1] See the full details of these proceedings in the very curious letters of Franklin and Deane, American *Diplomatic Correspondence*, i. 272, 273, 311, 313, 319, 320, 322, 341, 371. *Correspondence of George III. with Lord North*, ii. 68, 69. On the repeated assurances given by the French, both in Paris and through their ambassador in London, of their pacific intentions, see Adolphus' *Hist. of England*, ii. 309, 429, 439.

[2] American *Diplomatic Correspondence*, i. p. 321.

[3] Ibid. pp. 278, 281.

[4] Ibid. pp. 92, 93, 275.

merce, and expressed himself so favourable to the American cause that Deane assured his employers that they might safely purchase or construct frigates at Leghorn.[1] Frederick of Prussia, who had never forgiven his desertion by England, without committing himself openly to the Americans, or even consenting to receive their envoy, watched with undisguised delight the growing embarrassments of his old ally, threw every obstacle in his power in the way of German enlistments, and took great pains to assure France that he would remain perfectly passive if she entered into war with England. The emperor, hostile on all other points to Frederick, agreed with him in discouraging the German enlistments for England. Holland was delighted to find in America a new market for her goods, and the little Dutch island of St. Eustatius became a great mart for supplying the wants of the insurgents.

In France public opinion began to flow with irresistible force in favour of war. The old enmity towards England, the martial spirit which had been repressed and profoundly humiliated, the recollection of the long series of defeats and disasters which had terminated in the shameful peace of 1763, and also the prevailing fear that, unless the power of England were diminished, all the French dominions in the West Indies and South Africa must speedily be captured, had deeply stirred the French people; while all that was best in French thought and most generous in French character welcomed the rise of the great republic of the West. The small but growing school of economists saw in it the future champion of free trade. The followers of Voltaire, who aspired beyond all things to religious liberty, pointed with enthusiasm to the complete separation of Church and State and the total absence of religious restrictions in the American constitutions, and they began to extol America even more than they had hitherto extolled China, as the ideal land of philosophers and freethinkers. The followers of Rousseau, who valued beyond all things political equality and liberty, and who were at this time in the zenith of their influence, saw in the New World the realisation of

[1] American *Diplomatic Correspondence*, i. 65, 92, 93.

their principles and of their dreams, the final refuge of liberties that were almost driven from Europe. The influence of French speculation on the American contest had in truth been extremely slight. The struggle in New England was of an essentially English kind, directed to very practical ends, and turning mainly on the right of taxation and on disputed principles or interpretations of the British Constitution; but there were a few men in America who had been in some degree touched by French thought, and among them was Jefferson, the chief author of the Declaration of Independence. The passage in that document,—curiously unlike the cautious spirit of New England lawyers and of Pennsylvanian Quakers, and curiously audacious in a document that emanated from an assembly consisting largely of slaveowners,—in which the American legislators asserted as a self-evident truth that all men were created equal, and were endowed by the Creator with an inalienable right to liberty, might have been written by Rousseau himself; and the much nobler passage in which they maintained that all governments exist only for the benefit, and derive their just powers from the consent, of the governed; and that whenever any form of government becomes destructive to the ends for which government was instituted, it is the right of the people to alter or abolish it, awoke a mighty echo on the Continent.

It was a strange thing to see the public opinion of a purely despotic country thrilling with indignation because England had violated the constitutional liberties of her colonies; especially strange when it is remembered that one of the great American grievances was that England had perpetuated in Canada something of the French system of colonial government. Of the sincerity of the enthusiasm, however, there can be little question. The very judicious selection of Franklin as the chief representative of the colonies greatly added to it. His works were well known in France through several translations; his great discovery of the lightning conductor had been made when the Parisian enthusiasm for physical science was at its height, and it was soon found that the man was at least as remarkable as his works. Dressed with an almost Quaker simplicity, his thin grey hair not powdered according to the general fashion, but covered with a fur cap, he formed

a singular and striking figure in the brilliant and artificial society of the French capital. His eminently venerable appearance, the quaint quiet dignity of his manner, the mingled wit and wisdom of his conversation, the unfailing tact, shrewdness, and self-possession which he showed, whether he was negotiating with French statesmen or moving in a social sphere so unlike that from which he had arisen, impressed all who came in contact with him. Vergennes declared him to be the only American in whom he put full confidence. Turgot, in an immortal line, described him as having torn the lightning from heaven and the sceptre from the tyrant's hand.[1] Voltaire complimented him in his most graceful phrases, and expressed his pride that he was himself able to address him 'in the language of Franklin.' Poets, philosophers, men and women of fashion, were alike at his feet, and all the enthusiasms and Utopias of France seemed to gather round that calm American, who, under the appearance of extreme simplicity, concealed the astuteness of the most accomplished diplomatist, and who never for a moment lost sight of the object at which he aimed. His correspondence and his journal show clearly the half-amused, half-contemptuous satisfaction with which he received the homage that was bestowed on him. It became the fashion to represent him as the ideal philosopher of Rousseau. He was compared by his admirers to Phocion, to Socrates, to William Tell, and even to Jesus Christ. His head, accompanied by the line of Turgot, appeared everywhere on snuffboxes and medallions and rings. He was the idol alike of the populace and of society, and he used all his influence to hurry France into war.[2]

A few warning voices were heard, but they were little heeded. Necker, who now managed the finances, saw as clearly as Turgot had seen before him that continued peace was a vital interest to France and to her dynasty, for it alone could avert the impending bankruptcy. Even Vergennes hesitated

[1] The famous line, 'Eripuit cœlo fulmen, sceptrumque tyrannis,' was perhaps suggested by a passage in Manilius :—

'Solvitque animis, miracula rerum
Eripuitque Jovi fulmen, viresque tonandi,
Et sonitum ventis concessit nubibus ignem.'—i. 103–106.

According to Condorcet (*Vie de Turgot*), Turgot wrote, 'Eripuit cœlo fulmen, mox sceptra tyrannis.'

[2] Some curious particulars about Franklin's French life will be found in a very able article on Franklin in M. Philarète Chasles' *Le Dix-huitième Siècle en Angleterre.*

to strike the fatal blow till it had been somewhat more clearly demonstrated that a reconciliation of England with her colonies was no longer to be feared. When at the request of Franklin the Declaration of Independence was translated, and scattered, with the permission of the ministers, broadcast over France, Mirabeau, who was then a prisoner at Vincennes, asked whether those who were so anxious to ally themselves with the revolted colonies had really read or understood this Declaration, and had considered whether on its principles any European governments, except those of England, Holland, and Switzerland, could be deemed legitimate. A few months later the French ministers informed England that the Americans had become independent by virtue of their declaration, and Lafayette remarked with a smile that they had announced a principle of national sovereignty which they would soon hear of at home.[1] The King hesitated much, but Marie Antoinette, who caught up every fashion and enthusiasm with the careless levity of youth, assisted the American cause with all her influence, little dreaming that she was giving the last great impulse to that revolutionary spirit which was so soon to lead her to misery and to death. 'Give me good news,' she said to Lafayette, when he visited her in 1779, 'of our good Americans, of our dear republicans.'[2] Paine's 'Common Sense,' with all its denunciations of monarchy, was translated into French, and was, if possible, even more popular in France than in America.[3] Few things in history are more tragical than the mingled gaiety and enthusiasm with which the brilliant society of Versailles plunged into the stream that was to sweep them so speedily to the abyss. As yet, however, there were few misgivings, and American observers believed and hoped that if a revolution broke out it would not be in Paris but in London. 'The King and Queen,' wrote John Adams from Paris in 1778, 'are greatly beloved here. Every day shows fresh proof of it.

[1] Rocquain, *L'Esprit Révolutionnaire avant la Révolution*, pp. 370, 371; *Mémoires de Lafayette*, i. 50.

[2] 'Dites-moi de bonnes nouvelles de nos bons Américains, de nos chers républicains.' This was told by Lafayette to Augustin Thierry. See Circourt, *Action Commune de la France et de l'Amérique*, i. 171. Paine many years later, wrote: 'It is both justice and gratitude to say that it was the Queen of France who gave the cause of America a fashion at the French Court.'—*Rights of Man*.

[3] American *Diplomatic Correspondence*, i. 29, 30.

On the other side of the Channel there is a king who is in a fair way to be the object of opposite sentiments to a nation if he is not at present.'[1]

One of the chief signs of the prevailing enthusiasm was the multitude of soldiers who went to America to enlist in the army of the insurgents. 'I am well nigh harassed to death,' wrote Deane in 1776, 'with applications of officers to go out to America.' 'Had I ten ships here I could fill them all with passengers for America.' 'The desire that military officers here of all ranks have,' wrote the commissioners a few months later, 'of going into the service of the United States is so general and so strong as to be quite amazing. We are hourly fatigued with their applications and offers which we are obliged to refuse.' Most of them, no doubt, were mere soldiers of fortune, animated only by love of adventure, hatred of England, or hope of higher rank or pay than they could gain at home; but a few were of the purest type of enthusiasts for liberty. Among these the most conspicuous was Lafayette, who abandoned a great fortune and position and a young wife to serve gratuitously in the army of Washington, and who was appointed a major-general at the age of nineteen.

The great majority of these foreigners were French, but there were a few of other nationalities. Among the latter were Pulaski, who had distinguished himself beyond all other men in resisting the first partition of Poland, and Kosciusko, the hero of her later struggle. Steuben, a veteran German soldier, who had served under Frederick through the Seven Years' War, did more than perhaps any other single person to discipline and organise the army of Washington. Baron Kalb, who, like many other Germans, had fought with much distinction under the banner of Marshal Saxe, had visited America in 1768 as the secret agent of Choiseul, and when the war broke out he hastened to place his sword at the disposal of the Americans. Another officer of whom great hopes were entertained was Conway, an Irishman in the French service, who was esteemed 'one of the most skilful disciplinarians in France,' but whose

[1] *Familiar Letters of J. Adams and his Wife*, p. 350.

[2] American *Diplomatic Correspondence*, i. 71, 93, 276.

intriguing and ambitious character produced one of the most serious of the many divisions in the American army.[1]

This incursion of foreign soldiers into America was by no means without embarrassments. It was not at all in the character of the American troops to place themselves under the command of strangers, or to give up to strangers the most lucrative posts in their army, and the swarms of French soldiers who came over with promises of high rank given them by Deane excited endless jealousy and difficulty. Great numbers of American officers at once resigned. General Du Coudray, who came out with a large party of French officers, was drowned in the Schuylkill, and his followers, after much angry contention about the rate of pay, declared that the terms of their engagement were broken, and returned to France. An attempt was made to enlist a brigade of French Canadians, and to employ the French officers in organising it, but it utterly failed, and no class of Canadians showed the smallest disposition to throw off the English rule.[2] In the eighteenth century the type of mercenary soldier who sought pay and adventure in foreign armies was a very common one, and men of this stamp were often more than commonly rapacious and unprincipled. Numbers of officers, through their ignorance of English, were wholly unable to communicate with the troops they aspired to command, while the leading authorities in America who were obliged to organise the public service were often, if not usually, absolutely ignorant of French. Washington himself was completely so, though he found time, in the midst of the occupations of the campaign, to learn enough to understand, though not to speak it,[3] and in the busiest and most anxious period of the struggle John Adams wrote to his wife lamenting bitterly that he had not her knowledge of that language, and imploring her to send him the

[1] American *Diplomatic Correspondence*, i. 71-73, 76, 97, 98, 295, 296. The lives of Steuben and of Kalb have been written in German by Kapp, and in English by Greene (G. W.), in his interesting little book on *The German Element in the War of Independence*.

[2] See, on these difficulties, American *Diplomatic Correspondence*, i. 336-337, 346-349. Washington's *Works*, iv. 327-329, 419-425, 450-452; v. 32-35.

[3] Sparks's *Life of Washington*. Count Fersen, however, who had interviews with Washington in Oct. 1780, says he neither spoke nor understood French.—*Lettres du Comte Fersen*, i. 40, 41.

name of the author of her 'thin French grammar which gives the pronunciation of the French words in English letters.'[1]

It needed all the tact and skill of management which Washington eminently possessed to surmount these difficulties, but in spite of every drawback the presence of this large foreign element was of great assistance to the Americans. In addition to several excellent officers who had fought in the British army during the conquest of Canada, they had now among them many veteran soldiers trained in the very best armies of the Continent, and it is a significant fact that out of 29 major-generals in the American army, no less than eleven were Europeans.[2]

The remainder of the winter of 1776–7, after the combat of Trenton, passed without any memorable incident in America. The English remained for several months absolutely inactive in their entrenchments, and, to the unfeigned astonishment of Washington,[3] they made no attempt to regain the territory they had lost, or to force the passage of the Delaware and capture Philadelphia. Washington, on the other hand, was endeavouring to form an army, and his letters are full of bitter complaints of the want of patriotism he on all sides discovered. In New Jersey, it is true, the tide of feeling had been turned by the outrages of the British and Hessian troops. The New Jersey militia were in arms against the British, who now found the difficulties of obtaining provisions, forage, and intelligence greatly enhanced; but the laws of Congress directing the States to provide specified contingents for the American army were almost inoperative. The reluctance to enlist was extreme, and the delays of the State authorities threatened the utter ruin of the cause. The attempt to enlist troops for the whole duration of the war almost entirely failed. For some time Washington had not more than 1,500 men in his camp, while the English army was nearly ten times as numerous.[4] The theft of arms by the soldiers who deserted or disbanded themselves had been carried to such an extent that it had become difficult even to provide the soldiers with

[1] *Familiar Letters*, p. 136.

[2] Greene's *Historical View of the American Revolution*, p. 283.

[3] Washington's *Works*, iv. 301, 340, 352.

[4] Ramsay, ii. 1, 2. See, too, the Cornwallis *Correspondence*, i. 29.

common guns, when fortunately in March the first great supplies of guns and military stores arrived from France, and in this respect restored the condition of the army.[1] In the beginning of this month Washington reckoned the army of Howe in the Jerseys at not less than 10,000 men, while his own army was 4,000, nearly all 'raw militia, badly officered, and under no government.'[2] In the beginning of April he complained that the extravagant bounties given by different States for raising bodies of men upon colonial establishments had made it almost impossible to procure them for the continental service, as 'the men are taught to set a price upon themselves, and refuse to turn out except that price be paid.' 'How I am to oppose them' [the British], he adds, 'God knows; for excepting a few hundreds from Jersey, Pennsylvania, and Virginia, I have not yet received a man of the new continental levies.'[3] Ten days later, in a confidential letter to his brother, he once more expressed his utter astonishment at the continued inactivity of General Howe, and declared that if the English general abstained much longer from taking advantage of the extreme weakness of his opponents it would show that he was totally unfit for the trust that was reposed in him.[4] In the beginning of June he again acknowledged that it was still 'impossible, at least very unlikely, that any effectual opposition can be given to the British army with the troops we have, whose numbers diminish more by desertion than they increase by enlistments.'[5] If, indeed, as most historians are accustomed to assume, the bulk of the American people were really on the side of Washington, their apathy at this time is almost inexplicable, and it could only be surpassed by the stupendous imbecility of the English, who appear to have been almost wholly ignorant of the state of the American army, who remained waiting for reinforcements from England long after the season for active

[1] Washington's *Works*, iv. 337–339. The stealing of guns continued to be a great evil in the American army. In July 1777, Washington again complains of their rarity, though the importation of arms far exceeded the number of troops raised to make use of them.—Ibid. 477.

[2] Ibid. 339, 340. About a fortnight later, he wrote that the numbers 'fit for duty' were under 3,000, of whom all but 981 were militia, whose term of service would expire in about a fortnight.—Ibid. 364.

[3] Ibid. 375, 376.

[4] Ibid. 387.

[5] Ibid. 447.

operations had begun, and at a time when there was scarcely any enemy to oppose them, and who, by burning and plundering houses, destroying crops, insulting and outraging peaceful inhabitants, were rapidly turning their friends into foes.

One great cause of the slow organisation of the Americans was the difficulty of appointing the principal officers. In addition to the numerous foreigners who were to be provided for, great perplexity arose from the claim of every State to have a proportion of general officers corresponding to the number of troops it furnished.[1] In the absence of any universally recognised superior, conflicting claims and pretensions had free course; and several admirable letters remain in which Washington endeavoured to soothe the resentment or the vanity of neglected officers. John Adams, who visited the army in the summer of 1777, was much shocked at the disunion he found prevailing, and in a letter to his wife he expressed himself on the subject with great bitterness. 'I am wearied to death,' he wrote, 'with the wrangles between military officers high and low. They quarrel like cats and dogs. They worry one another like mastiffs, scrambling for rank and pay like apes for nuts.'[2]

In the spring and early summer a few inconsiderable expeditions took place in different quarters. The English destroyed large quantities of American stores at a place called Peeks-Kill, about fifty miles from New York, and at Danbury in Connecticut. The Americans destroyed a quantity of English stores in Long Island, and a small party of volunteers passing into Rhode Island succeeded in surprising and taking prisoner General Prescott, who was ultimately exchanged for General Lee. In June, Howe, having received some reinforcements from England, abandoned his quarters at Brunswick, but he made no effort to march upon the Delaware. After much complex manœuvring and several skirmishes which it is not here necessary to recount, he returned to his old quarters at Staten Island, despatched a portion of his troops to New York, and then sailed by a circuitous route to Chesapeake Bay, where he landed with about 16,000 men at a point some sixty miles from Philadelphia.

[1] Washington's *Works*, iv. 378.

[2] *Familiar Letters*, p. 276.

If the States had done what was expected from them, he would have been at least greatly outnumbered, but it was estimated by Galloway, and probably not untruly, that, of the 66,000 men voted by Congress for the continental service of 1777, they did not bring into the field 16,000, and that not half of these had enlisted voluntarily.[1] Massachusetts, Connecticut, and New Hampshire—the States where, if anywhere, the anti-English spirit should have been strongest—were obliged to pass laws drafting militiamen to serve by compulsion as substitutes in the continental army for twelve months.[2] There were also great numbers of 'redemptioners,' or men who had bound themselves to serve their masters for a specified number of years, and who were freed from their obligations if they would enlist in the American army.[3] Even Boston had lost much of her old enthusiasm,[4] and every State fell far short of its quota. Washington endeavoured to arrest the march of Howe, but on September 11, 1777, he was totally defeated in the battle of Brandywine. His army fled in utter confusion to Chester, and Du Portail, a French officer who was then in the American service, in reporting the circumstances to the French War Office, expressed his firm conviction that 'if the English had followed their advantage that day, Washington's army would have been spoken of no more.'[5] As usual, however, Howe took no step to complete his victory, and the American army was able to re-form itself. The Revolutionists took great pains to intimidate the loyal inhabitants of Pennsylvania, and they sent several of the principal inhabitants of Philadelphia prisoners to Virginia.[6] On September 26, Howe entered Philadelphia, and appears to have been warmly received both in the town and in its neighbouring country. He left four regiments to occupy the city, but posted the bulk of his army at Germantown, about ten miles distant. On October 4, Washington, having received

[1] Galloway's *Examination*, pp. 18, 19.

[2] Hildreth, iii. 189.

[3] Ibid. p. 190.

[4] Adams writes (March 31, 1777): 'We have reports here not very favourable to the town of Boston. It is said that dissipation prevails, and that Toryism abounds and is openly avowed at the coffee-houses.' — *Familiar Letters*, p. 252. His wife answered: 'If it is not Toryism, it is a spirit of avarice and contempt of authority, an inordinate love of gain, that prevails not only in town but everywhere I look or hear from.'—Ibid. p. 261.

[5] Jones's *History of New York*, i. 197.

[6] Ramsay, ii. 8, 9.

large reinforcements of militia from Maryland and New Jersey, surprised this post, but after an obstinate battle he was again utterly defeated. The British, with the assistance of some men-of-war, then proceeded to open the navigation of the Delaware, attacking the powerful forts which the Americans had constructed to command it, and though they were once very gallantly repulsed, they were in the end completely successful. Washington still continued, at the head of a regular army, to maintain himself in Pennsylvania, but the capital was in the undisputed possession of the English, the Congress was obliged to fly to Lancaster and Yorktown, the army of the Americans was demoralised by two great defeats, and the communications between the English fleet and army were fully established.

The position of Washington at this time was in all respects deplorable. As early as March he had written to General Schuyler: 'The disaffection of Pennsylvania, I fear, is beyond anything you have conceived,'[1] and the experience of the campaign fully justified his apprehensions. General Howe, during the many months his army was stationed at Philadelphia, never found the smallest difficulty in obtaining from the people abundance of fresh provisions. Profiting by his experience in New Jersey, he had given stringent orders, which appear to have been on the whole complied with, that no peaceful inhabitants should be molested; he even despatched a severe remonstrance to Washington, who had destroyed some mills in the neighbourhood; and he succeeded without difficulty in establishing perfectly amicable relations with the inhabitants. It would, perhaps, be an exaggeration to say that the active loyalists were the true representatives of Pennsylvanian feeling; but it is, in my opinion, not doubtful that the sympathies of this great and wealthy province were much more on the side of the Crown than on the side of the Revolution. Had the Pennsylvanians really regarded the English as invaders or oppressors, the presence of an English army in their capital would most certainly have roused them to passionate resistance. But, in truth, it was never found possible to bring into the field more than a tenth part of the nominal number of the Pennsylvanian militia,

[1] Washington's *Works*, iv. 360.

and the Pennsylvanian quota in the continental regiments was never above one-third full, and soon sank to a much lower point.[1] Washington complained bitterly that he could obtain no military intelligence, the population of whole districts being 'to a man disaffected'—disaffected 'past all belief.'[2] Millers refused to grind corn for his army. Provisions of every kind were systematically withheld, and often only obtained by forced requisitions or from other provinces. Carriages could rarely be obtained except by force, and Washington candidly described himself as in an enemy's country.[3] No American of any military or political eminence could separate himself from the army in Pennsylvania without great danger of being seized by the inhabitants and delivered up to the English.[4] As Lafayette bitterly complained, there were whole regiments of Americans in the British army, and in every colony there was a far greater number who, without actually taking up arms, made it their main object 'to injure the friends of liberty and to give useful intelligence to those of despotism.'[5]

The American army had sunk into a condition of appalling destitution. In September, Washington wrote that 'at least 1,000 men were barefooted and have performed the marches in that condition;'[6] and in the depth of winter the misconduct or inefficiency of the commissaries appointed by the Congress, and the general disaffection of the people, had reduced the Revolutionary forces to a degree of misery that almost led to their destruction. On one occasion they were three successive days without bread. On another, they were two days entirely without meat. On a third, it was announced that there was not in the camp 'a single hoof of any kind to slaughter, and not more than twenty-five barrels of flour.' There was no soap or vinegar. 'Few men' had 'more than one shirt, many only the moiety of one, and some none at all;' and, besides a number of men confined in hospitals or farmers' houses for want of shoes, there were on a single day 2,898 men in the camp unfit for duty because they were 'barefoot and otherwise naked.' In the piercing days of

[1] Washington's *Works*, v. 96, 146. Hildreth, iii. 217.
[2] Washington's *Works*, v. 69, 198.
[3] Ibid. pp. 187, 197-199. Galloway's *Examination*, pp. 25–27.
[4] *Life of Joseph Reed*, i. 359.
[5] *Mém. de Lafayette*, i. 16.
[6] Washington's *Works*, v. 71.

December, numbers of the troops were compelled to sit up all night around the fire, having no blankets to cover them, and it became evident that unless a change quickly took place the army must either 'starve, dissolve, or disperse, in order to obtain subsistence in the best manner they can.' In three weeks of this month the army, without any fighting, had lost by hardship and exposure near 2,000 men.[1] So large a proportion of the troops were barefoot that 'their marches might be traced by the blood from their feet.'[2] Yet week after week rolled on, and still, amid unabated sufferings, a large proportion of those brave men held together and took up their winter quarters, diminished indeed in numbers, and more than once defeated in the field, but still unbroken and undismayed, within a day's march of a greatly superior army of British soldiers.

The time was, indeed, well fitted to winnow the chaff from the grain; and few braver and truer men were ever collected around a great commander than those who remained with Washington during that dreary winter in Valley Forge, some twenty miles from Philadelphia. 'For some days past,' wrote their commander on February 16, 1778, 'there has been little less than a famine in the camp; a part of the army has been a week without any kind of flesh, and the rest three or four days. Naked and starving as they are, we cannot enough admire the incomparable patience and fidelity of the soldiery, that they have not been ere this excited by their sufferings to a general mutiny and dispersion. Strong symptoms, however, of discontent have appeared in particular instances, and nothing but the most active efforts everywhere, can long avert so shocking a catastrophe.'[3] Many, indeed, fell away. 'No day, nor scarce an hour passes,' wrote Washington in December, 'without the offer of a resigned commission.'[4] Many fled to the country and to their friends, and not less than 3,000 deserters came from the American camp to the British army at Philadelphia.[5]

But while the American army in Pennsylvania seemed thus on the eve of dissolution, and owed its safety chiefly to the

[1] Washington's *Works*, v. 193, 197, 199.

[2] Ibid. p. 329. See, too, the *Mém. de Lafayette*, i. 22.

[3] Washington's *Works*, v. 239.

[4] Ibid. p. 201.

[5] Galloway's *Examination*, pp. 19, 20.

amazing apathy of the English, an event had happened in the north which changed the whole fortune of the war, and made the triumph of the Revolution a certainty. We left the greater part of the northern American army posted in the strong fort of Ticonderoga and in a series of neighbouring entrenchments, which, it was believed, might be long maintained against the enemy. General Carleton had been lately superseded by General Burgoyne in the command of the English army in those quarters. Burgoyne was already well known to fame. He had served with distinction in the war in Portugal. He had been a member of Parliament and a frequent speaker, and he had attained much reputation in another and very different field, as the author of an exceedingly popular comedy, called the 'Heiress.' He was esteemed a good soldier and a man of much general ability and ambition, though not equally distinguished for the rectitude of his judgment. In June 1777 he marched from St. John's at the head of a well-appointed army of nearly 8,000 men, about half of them foreigners; and he soon after summoned the Indians who had taken arms, to a war feast, and in an emphatic speech impressed upon them the duty of humanity in war, offered a reward for every prisoner brought in alive by the savages, and threatened severe punishments against all who were guilty of outrages against old men, women, children, or prisoners. He afterwards issued a proclamation to the insurgents, which was greatly and justly blamed. He enumerated in highly coloured terms the crimes which had been committed against the loyalists, promised impunity and protection to all who would lay down their arms, but threatened those who resisted, with the most terrible war, and reminded them that a word from him would abandon them to the ferocity of the Indians.

The advance upon Ticonderoga was made by land and water, and the army and fleet arrived before it on July 1. Works were speedily thrown up. Batteries were planted; a hill which commanded the chief fortifications of the Americans, and which had been left unguarded, was seized; and General St. Clair, who commanded the American forces, having hastily summoned a council, it was agreed that the whole army could only be saved from capture by an instant evacuation of the

fortress and of all the adjoining works. Congress had been already informed that between 13,000 and 14,000 men were required for their defence, and less than 3,500 were left to guard them against an English force which was much larger than the Americans had anticipated. On the night of July 5, the Americans precipitately abandoned the fortification. Their flight was disastrous in the extreme. Ninety-three cannon were left in Ticonderoga. The chief part of the provisions and stores were embarked on 200 boats and despatched up the South River to Skenesborough, but on the morning of the 6th the English fleet hastened in their pursuit, burst through a ponderous boom which had been constructed to impede its progress, overtook the American flotilla, burnt three galleys, captured two others, and took or destroyed the greater portion of the stores and provisions. The American army which retreated by land was rapidly pursued, and the rearguard, consisting of 1,200 men under Colonel Warren, were overtaken and almost annihilated. It is said that not more than 90 men rejoined the ranks. St. Clair succeeded, however, after a rapid march of seven days, in gaining Fort Edward, where Schuyler was stationed with the remainder of the northern army. The combined forces of the Americans now numbered 4,400 men, including militia, and they hastily fled before the approaching army of Burgoyne in the direction of Albany.[1]

The evacuation of Ticonderoga, and the crushing disasters that immediately followed it, struck a panic through New England which had hardly been equalled when New York or Philadelphia were taken. The strongest post in the American possession had fallen almost without a blow, and it appeared for a time as if the design which the English generals were seeking to accomplish would be speedily attained. It was the object of Burgoyne, in co-operation with Clinton, who was stationed at New York, and with Howe, who was stationed at Philadelphia, by occupying the whole line of the Hudson, to sever New England from the Central and Southern States, and, by thus isolating the part of America which was seriously disaffected, to reduce the whole contest to narrow limits. Washington wrote in great alarm describing

[1] Ramsay, Stedman, Hildreth.

the evacuation as unjustifiable and almost inexplicable, and John Adams declared that the Americans would never learn to defend a post till they had shot one of their generals. Charges not only of incapacity but of treachery were freely made. Schuyler was deprived of his command and replaced by Gates, who, as a New Englander, was more acceptable to the soldiers. Such small reinforcements as could be raised were hastily despatched, and with them was Lincoln, who was very popular with the Massachusetts militia, and Benedict Arnold, whose high military qualities were now generally recognised. The country into which the English had plunged was an extremely difficult one, full of swamps, morasses, and forests, but at length on July 30 the Hudson was reached.

But by this time the first panic had subsided, and a spirit of resistance had arisen wholly unlike anything the British had yet encountered during the war. The militia of New England and of the disaffected portions of New York were called to arms, and they responded with alacrity to the summons. It was partly a genuine enthusiasm for the cause, for the New Englanders had thrown themselves into the Revolution with an earnestness which was almost wholly wanting in New Jersey and Pennsylvania, and their keen intelligence fully realised the importance of the crisis. It was partly also the dread of Indian incursions, and the many instances of Indian atrocities perpetrated under the shelter of the English flag, which roused, as they always roused, the dormant energies of the people. The American army soon rose to more than 13,000 men.[1] Burgoyne found himself enormously outnumbered in the heart of a country where the natural difficulties of obtaining provisions, preserving communications, procuring intelligence, and moving troops were immense. Two isolated detachments of German troops, under Colonel Baum and Colonel Breyman, accompanied by some Indians and by some loyalists, were totally defeated near Bennington, with a loss of 600 or 800 men, and of four cannon. An attempt made by another separate expedition to capture a small fort called Fort Stanwix failed, after some severe fighting, in the course of which many wounded and prisoners were brutally murdered by Indians in the English service. False

[1] Ramsay, 11, 38.

intelligence of a defeat of Burgoyne, and exaggerated accounts of the force that was sent to relieve the fort, induced St. Leger, who commanded the expedition, hastily to abandon the siege, and his artillery and stores fell into the hands of the garrison. But still Burgoyne pressed on, and, having with great difficulty collected provisions for thirty days, he crossed the Hudson, marched for four days along its banks, and on September 19 he encountered the American forces at Stillwater. The American wing which was first attacked was commanded by General Arnold, who appears to have fought, as he always did, with eminent courage and skill.[1] The battle was fierce and obstinate, and was only terminated, after about four hours' fighting, by the approach of night. The English retained the field of battle, but all the real advantages were on the side of the Americans. The dwindling army of the English was reduced by between 500 or 600 men, while the loss of the Americans was probably somewhat smaller.

The hunting-season of the Indians had now begun, and as they had obtained little plunder and were much dispirited by the combats of Bennington and Stillwater, they began rapidly to desert. A large proportion of the Canadian volunteers followed their example. Provisions were beginning to run short. By crossing the Hudson the English had greatly added to the difficulty of maintaining their communications with the storehouses on Lake George. An expedition was planned by Gates and Arnold to recover Ticonderoga, and although it failed in its main object, it succeeded in intercepting large supplies intended for the English. The army of Burgoyne was now reduced to little more than 5,000 men, many of them incapacitated by wounds or sickness, and they were limited to half the usual allowance of provisions. The forage was soon exhausted, and the horses perished in numbers through hunger. The only hope remaining was that relief might arrive from New York, and

[1] An attempt has been made in America, supported by the authority of Mr. Bancroft, to prove that Arnold was not actively engaged on this day. Mr. Isaac Arnold, however, the recent biographer of Benedict Arnold, appears to have established beyond dispute that this is a mistake, and that on this, as on all other occasions, Benedict Arnold showed himself an excellent soldier. See the *Life of Benedict Arnold* and a considerable amount of additional evidence in a pamphlet called *Benedict Arnold at Saratoga* (reprinted from the *United Service*, Sept. 1880), by Isaac N. Arnold. See, too, Stedman's very full account of the campaign.

Burgoyne had already succeeded in sending a message to Clinton describing his situation, and he had arranged all his later movements with a view to such relief. An attempt was made from New York to effect it, but the relieving army never reached the unhappy commander. The almost certain prospect of capturing a British army elated the Americans to the highest degree, and new volunteers rapidly poured in. On October 7 another desperate fight took place; Arnold had all but succeeded in capturing the British lines, when he was laid low by a severe wound; and the British lost, besides many killed and wounded, 200 prisoners and 9 pieces of cannon. Next day, Burgoyne retired to Saratoga, where he was speedily surrounded by an army nearly four times as large as his own, and so advantageously posted that it was scarcely possible to attack it. Burgoyne estimated the number of his own men who were still capable of fighting as not more than 3,500.[1] All communications were cut off; the hope of relief from New York was almost gone, and the small amount of provisions in the camp was nearly exhausted. Burgoyne refused, even in this extremity, to yield without conditions, but on October 17, 1777, the memorable convention was signed, by which the whole British army, with all its arms and artillery, were surrendered to the enemy.

The number of men who surrendered, including Canadians, irregular and militia troops, camp-followers and labourers, was about 5,800, and it was stipulated, among other things, that they should march out with the honours of war, and that they should be permitted at once to return to England on condition of not serving again in North America during the war. The overwhelming nature of the disaster was at once felt on both sides of the Atlantic. Clinton, who had captured some forts and advanced some distance along the Hudson to the relief of Burgoyne, retired to New York. The small garrison which had been left at Ticonderoga, knowing that it was impossible to defend that post against the army which was now free to act against it, hastily abandoned it and retreated to Canada. In Europe, one of the first effects of the calamity was to fix the determination of the French ministers. Their desire

[1] See the Minutes of the Council of War, Oct. 13, in Burgoyne's *State of the Expedition from Canada.*

of injuring and humiliating Great Britain had hitherto been restrained by their dread of war, by the miserable condition of their finances, by the fear which the long succession of American disasters had naturally produced, that the quarrel would either speedily be compromised, or the insurgents speedily subdued. It is a common error of politicians to overrate the wisdom of their opponents, and to underrate the influence of resentment, ambition, and temporary excitement upon their judgments or their acts; and many of the best English observers appear to have believed in 1777 that France would not enter openly into the war, but would content herself with the line of sagacious policy which had been indicated by Turgot. This appears to have been, on the whole, the opinion of Burke.[1] It was the decided opinion of Gibbon, who visited Paris in August;[2] and the King, though quite aware of the secret assistance which the French were giving to the Americans, expressed his belief, in September, that the chances of war with France had greatly diminished.[3] It is probable, indeed, that the French ministers themselves were undecided until the tidings arrived, in the first week of December, of the surrender of Saratoga. In those tidings they heard the knell of English dominion in America, of English greatness in the world. Their decision was speedily taken. On the 17th of that same month they informed the American commissioners that they were resolved to enter into a treaty of commerce with America, to acknowledge and support her independence, and to seek no advantage for themselves except a participation in American commerce and the great political end of severing the colonies from the British Empire. The sole condition exacted was that the Americans should make no peace with England which did not involve a recognition of their independence.[4] On February 6, 1778, treaties to this effect were formally signed in Paris.

It will now be necessary to revert for a short time to the course of opinion in England. The undoubted popularity of

[1] Burke's *Correspondence*, ii. 145–146.

[2] *Miscellaneous Works*, ii. 210.

[3] *Correspondence of George III. and Lord North*, ii. 83, 84. See, too, pp. 98, 106, and Walpole's *Last Journals*, ii. 178.

[4] American *Diplomatic Correspondence*, i. 355–357.

the war in its first stage had for some time continued to increase, and in the latter part of 1776 and 1777 it had probably attained its maximum. At the close of 1776 the greater part of the Rockingham connection, finding themselves beaten by overwhelming majorities, abstained from attending Parliament except in the mornings, when private business was being transacted. A great part of the majorities against them consisted, no doubt, of courtiers and placemen, of representatives of Cornish boroughs, or other nominees of the Government; but the Whigs at this time very fully admitted that the genuine opinion of the country was with the Government and with the King. The victory of Long Island, the capture of New York, Fort Washington, and Fort Lee, the successful invasion of the Jerseys, and at a later period the battle of Brandywine and the occupation of Philadelphia and of Ticonderoga, convinced a great section of the English people that the insurrection was likely to be speedily suppressed, and that the area of real disaffection had been extremely exaggerated. The Declaration of Independence, and the known overtures of the Americans to France, were deemed the climax of insolence and ingratitude. The damage done to English commerce, not only in the West Indies but even around the English and Irish coast, excited a widespread bitterness, and it was greatly intensified by a series of attempts which were made at the close of 1776 and in the beginning of 1777 to burn the arsenals at Portsmouth and Plymouth, and the shipping at Bristol. Several houses at Bristol were actually destroyed, but at last the culprit was detected and convicted, and he proved to be an artisan who had recently returned from America, and who by his own confession had acted at the direct instigation of Silas Deane, the American commissioner at Paris.[1] Besides all this, war in itself is seldom unpopular in England. English privateers were soon afloat, rivalling in their gains those of the colonies, and the spirits of patriotism, combat, domination, and adventure were all aroused.

Sir George Savile, writing confidentially to Rockingham in January 1777, described the condition of opinion in the most emphatic terms: 'We are not only patriots out of place, but patriots out of the opinion of the public. The reputed successes,

[1] See his confession in Howell's *State Trials*, xx. 1365.

hollow as I think them, and the more ruinous if they are real, have fixed or converted ninety-nine in one hundred. The cause itself wears away by degrees from a question of right and wrong between subjects, to a war between us and a foreign nation, in which justice is never heard, because love of one's country, which is a more favourite virtue, is on the other side. I see marks of this everywhere and in all ranks.'[1] In his admirable letter on the American question addressed to the Sheriffs of Bristol, which was published in the beginning of 1777, Burke made no secret of his belief that English opinion had deserted the Americans. A few months later he wrote to Fox that 'the popular humour' was far worse than he had ever known it; that his own constituency, Bristol, had just voted the freedom of the city to Lord Sandwich and Lord Suffolk; that 'in Liverpool they are literally almost ruined by this American war, but they love it as they suffer from it.' 'The Tories,' he added, 'do universally think their power and consequence involved in the success of this American business. The clergy are astonishingly warm in it; and what the Tories are when embodied and united with their natural head, the Crown, and animated by their clergy, no man knows better than yourself. The Whigs . . . . are what they always were (except by the able use of opportunities), by far the weakest party in this country. . . . . The Dissenters, their main effective part, are . . . . not all in force. They will do very little.'[2]

Measures were carried without difficulty suspending the Habeas Corpus Act in the case of persons suspected of high treason committed in North America or on the high seas, or of piracy, and granting letters of marque and reprisal against American vessels. Supplies amounting to a little less than 13 millions were voted for the expenses of the year, and an address, which was moved by Lord Chatham in May, for repealing the many oppressive Acts relating to America since 1763, was easily rejected. The language of the Opposition in their private correspondence, and sometimes in public, was that of extreme

[1] Albemarle's *Life of Rockingham*, ii. 305.

[2] Burke's *Works*, ix. 152, 153. So the Duke of Grafton writes:—'The majority, both in and out of Parliament, continued in a blind support of the measures of administration. Even the great disgrace and total surrender of General Burgoyne's army at Saratoga was not sufficient to awaken them from their follies.'—*MS. Autobiography.*

despondency. Burke was never weary of impressing upon the people that the American question should not be decided by philosophical or historical disquisitions upon the rights of Parliament or of provincial assemblies, but by considerations of practical policy, and that no possible good could result from the course which was being pursued. The English, he argued, never could get a revenue from America. They were masters only of the ground on which they encamped. They were rapidly, by the employment of savage allies and of German mercenaries, depriving themselves of every friend in America. They were adding enormously to their own national debt, and were exposing themselves to the danger of a foreign war under most disadvantageous circumstances. Nor were these the only evils resulting from the contest. The party most hostile to British liberty was raised to power. The principles of liberty were discredited. Precedents were admitted and a bias was created extremely hostile to the British Constitution, and some of its most essential maxims, being violated in America and asserted by insurrection, would soon cease to be respected at home. The Duke of Richmond even expressed his firm belief that Parliament in its present mood would be perfectly ready to establish despotism in England.[1]

The Whig secession was a very short one, and it was imperfectly observed. Fox, who was now rapidly rising to a foremost place among the opponents of the Ministry, never joined it. His speeches at this time, by the confession of the best judges, were among the most powerful ever heard in Parliament; and a significant letter is preserved in which the King recommended North to push on as much business as possible during a few days when the young orator was at Paris.[2] Whether, however, these speeches were as advantageous to the Whig party as they were to the reputation of the speaker, may, I think, be much doubted. It was one of the peculiarities of Fox, which he showed both during the American War and during the war of the French Revolution, that whenever he differed from the policy of the Government, he never appeared to have the smallest leaning or bias in favour of his country. Believing at

[1] Burke's *Correspondence*, ii. 118.
[2] *Correspondence of George III. with Lord North*, ii. 40.

this time that his friends were as completely proscribed as the Jacobites in the two preceding reigns, and that he had nothing to look forward to except the reputation of a great orator,[1] he placed no check upon his natural impulses. More than any other man he gave the Whig party that cosmopolitan and unnational character which was one of the chief sources of its weakness, and which it only lost at the Reform Bill of 1832. Chatham, in his most vehement denunciations of the policy of the government, never forgot that he was beyond all things an English statesman, and the greatness of England was at all times the first object of his ambition. Burke, although he was guilty of innumerable faults of temper and taste, and although he was quite prepared to recognise the Independence of America, if it became necessary, seldom failed to put forward reconciliation as the ultimate end of his policy; and in his letter to the Sheriffs of Bristol in 1777 he offended some of the more violent members of his party by expressing his earnest wish that the whole body of authority of the English Crown and Parliament over America which existed before the Stamp Act, might be preserved perfect and entire.[2] But the language of Fox was that of a passionate partisan of the insurgents. I have already mentioned his eulogy of Montgomery, who fell at the head of the American army. In one of his letters he described the first considerable success of the English in America as 'the terrible news from Long Island,' and spoke of what would happen 'if America should be at our feet—which God forbid.'[3] In Parliament he exerted all his eloquence to show that it was the true interest of France and Spain to draw the sword in favour of American Independence.[4] When the news of the crushing disaster of Saratoga arrived, the Opposition did not suspend for a single day their party warfare; they expressed no real desire to support the Government in its difficulties, and Fox at once signalised himself by a furious invective against Lord George Germaine, accusing him of disgracing his country in *every* capacity, and expressing his hope that he would be brought to a second trial.[5]

[1] Fox's *Correspondence*, i. 169–171.
[2] See Burke's *Works*, iii. 176, 178.
[3] Fox's *Correspondence*, ii. 145, 147.
[4] *Parl. Hist.* xviii. 1430.
[5] Walpole's *Last Journals*, ii. 170–171. *Correspondence of George III. with Lord North*, ii. 95.

In every stage of the contest the influence of the Opposition was employed to trammel the Government. In 1776 they denounced the garrisoning of Minorca and Gibraltar with Hanoverian soldiers as a breach of the Act of Settlement.[1] After the surrender of Saratoga, Liverpool, Manchester, Edinburgh, and Glasgow each raised a regiment. Several independent companies were raised in Wales, and the patriotic enthusiasm was so strong that no less than 15,000 soldiers were presented by private bounty to the State.[2] But the Opposition did everything in their power to discourage the movement. They denounced the raising of troops by private subscription as unconstitutional and dangerous to liberty, while they dilated upon the indefensible condition of the country in a strain that must have greatly encouraged the French,[3] and Fox at the same time moved that no more troops should be sent out of England.[4] The statement of Wraxall that the Whig colours of buff and blue were first adopted by Fox in imitation of the uniform of Washington's troops,[5] is, I believe, corroborated by no other writer; but there is no reason to question his assertion that the members of the Whig party in society and in both Houses of Parliament during the whole course of the war wished success to the American cause and rejoiced in the American triumphs.[6] Benedict Arnold was attacked, Franklin and Laurens were eulogised in the British House of Commons in a strain which would have been perfectly becoming in the American Congress, and the American cause was spoken of as the cause of liberty.[7] Dr. Price, who was one of the great lights of the democratic party, and whose knowledge of finance was widely celebrated, was invited by the

[1] Adolphus, ii. 265–267.

[2] Ibid. ii. 504, 505.

[3] Ibid. ii. 509–515.

[4] See *Parl. Hist.*, xix. 620, 622. He said 'that Scotland and Manchester were so accustomed to disgrace that it was no wonder if they pocketed instances of dishonour and sat down contented with infamy.'

[5] Wraxall's *Memoirs*, ii. 2. There is a long discussion on the origin of the Whig colours in the *Stanhope Miscellanies*, pp. 116–122, but it leaves the question in great uncertainty. Sparks thought that the Americans adopted the uniform from the Whigs, but it appears to have been worn in America from the very beginning of the contest. Jones speaks of a soldier who, 'dressed in buff and blue, afterwards joined Montgomery in Canada, was wounded and taken prisoner at Quebec.'—*Hist. of New York*, ii. 343.

[6] Wraxall's *Memoirs*, i. 470–471.

[7] *Parl. Hist.* xxii. p. 1176. Burke was the warmest eulogist of Franklin and Laurens.

Congress at the end of 1778 to go over to America and to manage the American finances. He declined the invitation on the ground of his feeble health and spirits, but with a profusion of compliments to the Assembly, which he 'considered the most respectable and important in the world,' with the warmest wishes for the success of the Americans, and without the smallest intimation that the fact that they were at war with his country made it difficult for him to place his talents at their disposal.[1] In 1781 a young poet of the party, who afterwards became the great Sir William Jones, told how Truth, Justice, Reason, and Valour had all fled beyond the Atlantic to seek a purer soil and a more congenial sky.[2] 'The parricide joy of some,' wrote Sir Gilbert Elliot about this time, 'in the losses of their country makes me mad. They don't disguise it. A patriotic Duke told me some weeks ago that some ships had been lost off the coast of North America in a storm. He said 1,000 British sailors were drowned—not one escaped—with joy sparkling in his eyes. . . . In the House of Commons it is not unusual to speak of the Provincials as our army.' The same acute observer expressed his conviction that the North Ministry had repeatedly made mistakes which would have destroyed it had it not been for the course which was adopted by the Opposition. 'It was the wish of Great Britain to recover America. Government aimed at least at this object, which the Opposition rejected. . . . The principles [of Government] respecting America were agreeable to the people, and those of Opposition offensive to them.'[3]

And while the Opposition needlessly and heedlessly intensified the national feeling against them, the King, on his side, did the utmost in his power to embitter the contest. It is only by examining his correspondence with Lord North that we fully realise how completely at this time he assumed the position

[1] American *Diplomatic Correspondence*, ii. 222, 224.

[2] See a poem called *The Muse Recalled*; Jones continued:—

There on a lofty throne shall Virtue stand,
To her the youth of Delaware shall kneel;
And when her smiles rain plenty o'er the land,
Bow, tyrants, bow beneath th'avenging steel.
Commerce with fleets shall mock the waves,
And arts that flourish not with slaves.

[3] Lady Minto's *Life of Sir Gilbert Elliot*, i. 74, 76–77.

not only of a prime minister but of a Cabinet, superintending, directing, and prescribing, in all its parts, the policy of the Government. It was not merely that he claimed a commanding voice in every kind of appointment. The details of military management, the whole course and character of the war, and sometimes even the manner in which Government questions were to be argued in Parliament, were prescribed by him ; and ministers, according to the theory which had now become dominant in Court circles, were prepared to act simply as his agents, even in direct opposition to their own judgments. We have already seen that Lord Barrington, who, as minister of war, was most directly responsible for the manner in which the war was conducted, had distinctly informed his brother ministers as early as 1774 that he disapproved of the whole policy of coercing the colonies, that he believed the military enterprises which he organised could lead to nothing but disaster, and that he was convinced that, though the Americans might be reduced by the fleet, they could never be reduced by the army. We have seen also that, although Barrington never failed to express his opinions frankly and fully to the Cabinet, he consented, at the request of the King, to remain the responsible minister till the end of 1778. Lord Howe and Lord Amherst agreed with Barrington in thinking that an exclusively naval war was the sole chance of success, and it is extremely probable that this opinion was a just one. In the divided condition of American opinion, the stress of a severe blockade might easily have rendered the Revolutionary party so unpopular that it would have succumbed before the Loyalists, had it not been strengthened by the great military triumph of Saratoga, and by the indignation which the outrages of British and German troops and the far more horrible outrages of Indian savages had very naturally produced. But the King had a different plan for the war, and Barrington obediently carried it out. 'Every means of distressing America,' wrote the King, 'must meet with my concurrence.' He strongly supported the employment of Indians, and in October 1777 he expressed his hope that Howe would 'turn his thoughts to the mode of war best calculated to end this contest, as most distressing to the Americans,' which the King reproachfully added, 'he seems

as yet carefully to have avoided.'[1] It was the King's friends who were most active in promoting all measures of violence. Clergymen who in the fast-day sermons distinguished themselves by violent attacks on the Americans or by maintaining despotic theories of government, were conspicuously selected for promotion. The war was commonly called the 'King's war,' and its opponents were looked upon as opponents of the King.[2]

The person, however, who in the eye of history appears most culpable in this matter, was Lord North. He disclaimed indeed the title of Prime Minister, as a term unknown to the Constitution; but as First Lord of the Treasury and Chancellor of the Exchequer he was more than any other person responsible to the country for the policy that was pursued, and but for his continuance in office that policy could hardly have been maintained. Nearly all the great politicians of Europe—Frederick in Prussia, Turgot in France, Chatham and Burke in England—pronounced the course which the English Government were adopting to be ruinous; and the bitterness with which the Opposition attacked Lord North was always considerably aggravated by the very prevalent belief that he was not seriously convinced of the wisdom of the war he was conducting, and that the tenacity with which he pursued it long after success appeared impossible, was due to his resolution, at all hazards to his country, to retain his office. The publication of the correspondence of George III. has thrown a light upon this question which was not possessed by contemporaries, and, while it completely exculpates North from the charge of excessive attachment to office, it supplies one of the most striking and melancholy examples of the relation of the King to his Tory ministers. It appears from this correspondence that for the space of about five years North, at the entreaty of the King, carried on a bloody, costly, and disastrous war in direct opposition to his own judgment and to his own wishes. In the November of 1779 Lord Gower,

[1] *Correspondence of George III. with Lord North*, i. 274, ii. 84. See, too, Bancroft's *History of the United States*, ix. 321, and also a paper, 'On the Conduct of the War from Canada,' copied from the handwriting of the King, in Albemarle's *Life of Rockingham*, ii. 330–332.

[2] See Nichols's *Recollections of George III.*, i. 35.

who had hitherto been one of the staunchest supporters of the Government, resigned his post on the ground that the system which was being pursued 'must end in ruin to His Majesty and the country'; and North, in a private letter to the King, after describing the efforts he had made to dissuade his colleague from resigning, added these memorable words: 'In the argument Lord North had certainly one disadvantage, which is that he holds in his heart, and has held for three years past, the same opinion with Lord Gower.'[1] And yet in spite of this declaration he continued in office for two years longer. Again and again he entreated that his resignation might be accepted, but again and again he yielded to the request of the King, who threatened, if his minister resigned, to abdicate the throne, who implored him, by his honour as a gentleman, and his loyalty as a subject, to continue at his post, who reiterated his supplications in letter after letter of passionate entreaty, and who, though perfectly aware that Lord North regarded the war as hopeless and inevitably disastrous, uniformly urged that resignation would be an act of culpable, cowardly, and dishonourable desertion. Unhappily for his country, most unhappily for his own reputation, North suffered himself to be swayed and became the instrument of a policy of which he utterly disapproved. He was an amiable but weak man, keenly susceptible to personal influence, and easily moved by the unhappiness of those with whom he came in contact, but without sufficient force of principle to restrain his feelings, or sufficient power of imagination to realise adequately the sufferings of great bodies of men in a distant land. His loyalty and personal attachment to the King were stronger than his patriotism. He was cut to the heart by the distress of his sovereign, and he was too good-natured to arrest the war.

The King was determined, under no circumstances, to treat with the Americans on the basis of the recognition of their independence; but he acknowledged, after the surrender of Burgoyne, and as soon as the French war had become inevitable, that unconditional submission could no longer be hoped for, and that it might be advisable to concentrate the British forces in Canada, Nova Scotia, and the Floridas, and to employ them

[1] See Fox's *Correspondence*, i. 212.

exclusively against the French and Spanish possessions in the West Indies.[1] He consented, too, though apparently with extreme reluctance, and in consequence of the unanimous vote of the Cabinet, that new propositions should be made to the Americans. The stocks had greatly fallen. No recruits could any longer be obtained from Germany; the ministerial majorities, though still large, had perceptibly diminished, and outside the parliament, Gibbon noticed, even before the news of Saratoga arrived, that the tide of opinion was beginning to flow in the direction of peace.[2] On December 10, 1777, a few days after the surrender of Burgoyne had been announced, when the attitude of the French was yet unknown, and when parliament was about to adjourn for Christmas, Lord North announced that at the close of the holidays he would bring in a project of conciliation. The next day Chatham made one of his greatest speeches on the subject. Though now a complete invalid, he had several times during the last few months spoken in the House of Lords on the American question, with little less than his old eloquence, and with a wisdom and moderation which in his greater days he had not always exhibited. America, he emphatically and repeatedly maintained, never could be subdued by force; the continued attempt could only lead to utter ruin, and France would sooner or later inevitably throw herself into the contest. He reprobated, in language that has become immortal in English eloquence, the policy which let loose the tomahawks of the Indians upon the old subjects of England. In a passage which is less quoted, but which was eminently indicative of his military prescience, he had in November spoken of the total loss of the army of Burgoyne as a probable contingency,[3] and he dilated on the insufficiency of the naval establishments in a language which was emphatically repudiated by the ministers, but which subsequent events fully justified. He strongly maintained, however, that England and

[1] *Correspondence of George III. with Lord North*, ii. 118, 125, 126.

[2] See a remarkable letter of Gibbon (Dec. 2. 1777). A month previously the Duke of Richmond had written:—'I will say, too, that the people begin to feel the continuance of the war, the losses, the taxes, the load of debt, the want of money, and the impossibility of such success as to re-establish a permanent tranquillity.' Albemarle's *Life of Rockingham*, ii. 318. Sir George Savile, however, thought that in November the people were still on the side of the war. Ibid. p. 322.

[3] *Chatham Correspondence*, iv. 452.

America must remain united for the benefit of both, and that though every week which passed made it more difficult, and though the language of the ministers, and especially the employment of Indians, had enormously aggravated the situation, it was still possible, by a frank and speedy surrender of all the constitutional questions in dispute, and by an immediate withdrawal of the invading army, to conciliate the colonies. 'America is in ill-humour with France on some points that have not entirely answered her expectations; let us wisely take advantage of every possible moment of reconciliation. Her natural disposition still leans towards England, and to the old habits of connection and mutual interest that united both countries. This *was* the established sentiment of all the continent. . . . All the middle and southern provinces are still sound. . . . still sensible of their real interests.' 'The security and permanent prosperity of both countries' can only be attained by union, and by this alone the power of France can be repressed. 'America and France cannot be congenial; there is something decisive and confirmed in the honest American that will not assimilate to the futility and levity of Frenchmen.' Prompt, conciliatory action was, however, necessary, and he accordingly strenuously opposed the adjournment, which left the country without a parliament in the six critical weeks that followed the arrival of the news of the capitulation of Saratoga.[1]

His counsel was rejected, but in the course of the recess some private overtures were vainly made to Franklin by persons who are said to have been in the confidence of the English Government. The feeling of uneasiness in the country was now very acute, and it was noticed that in January 1778 the Three per Cents. stood at 71¼, whereas in January 1760, which was the fifth year of a war with the united House of Bourbon, they were 79.[2] On February 17, North rose to move bills of conciliation which virtually conceded all that America had long been asking. The Act remodelling the constitution of Massachusetts and the tea duty, which were the main grievances of the colonies, were both absolutely and unconditionally repealed.

[1] *Chatham Correspondence*, iv. 454–455, 457.

[2] *Parl. Hist.* xix. 617.

Parliament formally promised to impose no taxes upon the colonies for the sake of revenue, and although it retained its ancient right of imposing such duties as were necessary for the regulation of commerce, it bound itself that those duties should always be applied to public purposes in the colony in which they were levied, in such manner as the colonial assemblies should determine. It was enacted also that Commissioners should be sent out to America to negotiate a peace, with full powers to treat with Congress, to proclaim a cessation of hostilities by land and sea, to grant pardons to all descriptions of persons, and to suspend the operation of all Acts of Parliament relating to the American colonies which had passed since February 1763.[1]

The propositions were listened to with blank amazement by the most devoted followers of the ministers. They were in effect much the same as those which Burke had vainly advocated nearly three years before. They completely surrendered all for which England had been contending at such a ruinous cost, and the speech with which Lord North introduced them was one of the most extraordinary ever made by an English minister. He contended that his present measures were not only perfectly consistent with his present opinions, but consistent also with the opinions he had always held and with the policy he had always pursued. He never, he said, had any real belief in the possibility of obtaining a considerable revenue from America. The policy of taxing America was not his, but that of his predecessors. He found the tea duty established and was not able to abandon it. The measure enabling the East India Company to send its tea to America, paying a small duty there, but with a drawback of the much larger duty previously paid in England, was in reality an act not of oppression but of relief, and it had only been turned into a new grievance by the combined artifices of demagogues who wished to produce a separation, and of smugglers who feared that the contraband trade in tea would be extinguished. The coercion Acts had been introduced on account of great acts of violence which had occurred in the colonies. They had not produced the results that were hoped for, and he was quite prepared to abandon them. They had, however, been so far from representing what, in the opinion

[1] 18 Geo. III., c. xi., xii., xiii.

of North, ought to be the permanent relations of England to the colonies, that he had accompanied them by a conciliatory measure which he still thought would have formed the happiest, most equitable, most lasting bond of union between the mother-country and her colonies. He had proposed that any colony might secure itself against all taxation by Parliament if it would, of its own accord, raise such a sum towards the payment of its civil government and towards the common defence of the empire as Parliament thought sufficient. The proposal was most honestly meant, but the Americans had been persuaded, partly by their own leaders, and partly by the English Opposition, that it was a deceptive one. He had afterwards authorised Lord Howe and his brother to negotiate with members of the Congress in 1776, but it was then objected that the Commissioners had insufficient powers. This objection was obviated by the present Bill. The new Commissioners would be instructed to endeavour to induce the colonies to make some reasonable, moderate, and voluntary contribution towards the cost of the common empire when reunited, but no such contribution was to be demanded as essential, the right of Parliament to tax the colonies was formally and finally renounced, and the States were not to be asked to resign their independence till the treaty with the mother-country had been agreed on and ratified in Parliament. It was added in the course of the debate on the part of the Government, that a security of the debts of Congress, and a re-establishment of the credit of the paper money which had now been so enormously depreciated, would be one of the objects of the Commission, and it was hoped one of the chief inducements to the Americans to receive it with favour.

The speech, wrote a keen observer,[1] was listened to 'with profound attention, but without a single mark of approbation to any part, from any description of men or any particular man in the House. Astonishment, dejection, and fear overclouded the whole assembly.' Everything, as devoted followers of the Ministry explained, except independence, was conceded, and offers were made which a little before would certainly have been welcomed with alacrity. Now, however, they clashed against two fatal obstacles—the treaties with

[1] *Annual Register*, 1778.

France, which, though not yet formally declared or ratified, were already signed, and the antecedents of the Ministry, which made it impossible that any proposals that emanated from it could be received without hostility and distrust. That Lord North in his speech truly represented his own later opinions on American questions is very probable, but they were at least opinions which were utterly opposed to those which the world ascribed to him and to the general policy of his party. He was the special leader of men who in every stage of the long controversy had uniformly shown themselves the most implacable enemies of the pretensions of the colonies, and who had spared no insult and no injury that could exasperate and envenom the conflict. Sandwich and Rigby, Weymouth and Hillsborough, Wedderburn and Germaine, the King's friends and the Bedford faction, were very naturally regarded by the Americans as their most rancorous enemies. The language of the ministerial newspapers, the disposal of ministerial patronage, the gradual displacement of every politician who leaned towards a milder policy, had all abundantly indicated their spirit.

In such hands it was scarcely possible that conciliation could succeed. The Commissioners appointed were Lord Carlisle, William Eden, and George Johnstone, a former governor of Florida. The two first were as yet very little known in politics, but after the Declaration of Independence, Lord Carlisle had moved the address in answer to the royal speech which denounced the Americans as rebels and traitors, while Eden had been Under-Secretary to Lord Suffolk, the most vehement advocate of the employment of Indians in the war. Johnstone had, it is true, opposed the ministerial measures relating to the Colonies, and he was well known in America; but he greatly injured the cause by private overtures to members of Congress, endeavouring by personal offers to obtain their assistance, and after much angry altercation he withdrew from the Commission. Congress unanimously declined any reconciliation which was not based on a recognition of American independence. The Commissioners appear to have done everything in their power to execute their mission. They even went beyond their legal powers, for besides promising the Americans complete liberty of internal legislation, they offered an engagement that no European troops should be again sent

to America without the consent of the local assemblies, and also an American representation in the English Parliament. General Gates was in favour of negotiation, and Lee, who had now lost almost all sympathy with the American cause, was on the same side; but, though a great section of the American people would have gladly closed the quarrel by a reconciliation, the Congress was in the hands of the insurgent party. In October the Commissioners published a manifesto appealing from the Congress to the people, offering the terms which had been rejected to each separate State, and threatening a desolating war if those terms were not accepted. Offers, however, emanating from the North ministry were almost universally distrusted, and the new alliance with France was welcomed with enthusiasm. On May 4, 1778, the treaties of alliance and commerce were unanimously ratified by Congress. On the 13th of the preceding March the latter treaty had been formally communicated by the French ambassador at London, and immediately after, the ambassadors on each side were recalled, and England and France were at war.

The moment was one of the most terrible in English history. England had not an ally in the world. One army was a prisoner in America; and the Congress, on very futile pretexts, had resolved not to execute the Convention of Saratoga, which obliged them to send it back to England. The great bulk of the English troops were confined in Philadelphia and New York. The growing hostility of the German powers had made it impossible to raise or subsidise additional German soldiers; and in these circumstances, England, already exhausted by a war which its distance made peculiarly terrible, had to confront the whole force of France, and was certain in a few months to have to encounter the whole force of Spain. Her navy was but half prepared; her troops were barely sufficient to protect her shores from invasion; her ministers and her generals were utterly discredited; her Prime Minister had just admitted that the taxation of America, which was the original object of the war, was an impossibility. At the same time, the country believed, as most men believed both on the continent and in America, that the severance of the colonies would be the beginning of the

complete decadence of England; and the Imperial feeling, which was resolved to make any sacrifice rather than submit to the dismemberment of the Empire, was fully aroused. It is a feeling which is rarely absent from any large section of the English race, and however much the Americans, during the War of Independence, may have reprobated it, it was never displayed more conspicuously or more passionately than by their own descendants when the great question of secession arose within their border.

There was one man to whom, in this hour of panic and consternation, the eyes of all patriotic Englishmen were turned. In Chatham England possessed a statesman whose genius in conducting a war was hardly inferior to that of Marlborough in conducting an army. In France his name produced an almost superstitious terror. In America it was pronounced with the deepest affection and reverence. He had, in the great French war, secured the Anglo-Saxon preponderance in the colonies; he had defended the colonies in every stage of their controversy about the Stamp Act, and had fascinated them by the splendour of his genius. If any statesman could, at the last moment, conciliate them, dissolve the new alliance, and kindle into a flame the loyalist feeling which undoubtedly existed largely in America, it was Chatham. If, on the other hand, conciliation proved impossible, no statesman could for a moment be compared to him in the management of a war. Lord North implored the King to accept his resignation, and to send for Chatham. Bute, the old Tory favourite, breaking his long silence, spoke of Chatham as now indispensable. Lord Mansfield, the bitterest and ablest rival of Chatham, said, with tears in his eyes, that unless the King sent for Chatham the ship would assuredly go down. George Grenville, the son of the author of the Stamp Act, and Lord Rochford, one of the ablest of the late Secretaries of State, employed the same language, and public opinion loudly and unanimously declared itself in the same sense. Lord Barrington represented to the King 'the general dismay which prevails among all ranks and conditions, arising from an opinion that the administration was not equal to the times, an opinion so universal that it prevailed among those who were most dependent and attached to his

ministers, and even among the ministers themselves.' 'Every rank,' wrote one of the foremost bankers in London, 'looks up to Chatham with the only gleam of hope that remains; nor do I meet with anyone who does not lament and wonder that his Majesty has not yet publicly desired the only help that can have a chance to extricate the country from the difficulties which every day grow greater, and must otherwise, I fear, become insurmountable.' The Rockingham party believed, what Chatham still refused to admit, that the only possible course was to acknowledge at once the independence of America; and the old jealousies that divided them from Chatham were far from extinct. But the Rockingham party also agreed in thinking that it was now in the easy power of France and Spain to give 'a deadly blow' to this country, and as Chatham had clearly said that America could never be overcome by force, the difference between them was in reality chiefly in the more or less sanguine hope they entertained of the possibility of conciliation. The Duke of Richmond, who of all prominent politicians was the most vehement supporter of the necessity of admitting the independence of America, sent to say that 'there never was a time when so great a man as Lord Chatham was more wanted than at present,' and that if he thought it right to make another attempt to prevent the separation of the colonies he would 'be the first to give him every support in his power.' Lord Camden, who now usually acted with the Rockingham party, and was somewhat alienated from Chatham, wrote of him to Rockingham: 'I see plainly the public does principally look up to him, and such is the opinion of the world as to his ability to advise as well as execute in this perilous crisis, that they will never be satisfied with any change or arrangement where he is not among the first.'[1]

Everything seemed thus to point to a Ministry under the guidance of Chatham as the last hope of English greatness. Alone amid the accumulating disasters of his country and the concurrence of the most hostile parties the King was unmoved. He consented indeed—and he actually authorised Lord North to make the astounding proposition—to receive Chatham as a

[1] Compare *Chatham Correspondence*, iv. 493–506, 511, 512; Albemarle's *Life of Rockingham*, i. 348–351.

subordinate minister to North, in order to strengthen the existing administration; but this was the utmost extent to which he would go. His own words, which are too clear for cavil or for dispute, should determine for ever his claims to be regarded as a patriot king. 'I declare in the strongest and most solemn manner,' he wrote to North, 'that though I do not object to your addressing yourself to Lord Chatham, yet that you must acquaint him that I shall never address myself to him but through you, and on a clear explanation that he is to step forth to support an administration wherein you are First Lord of the Treasury. . . . I will only add, to put before your eye my most inward thoughts, that no advantage to this country, no present danger to myself, can ever make me address myself to Lord Chatham or any other branch of the Opposition. . . . Should Lord Chatham wish to see me before he gives his answer, I shall most certainly refuse it. . . . You have now full powers to act; but I do not expect Lord Chatham and his crew will come to your assistance.' 'I solemnly declare,' he wrote on the following day, 'that nothing shall bring me to treat personally with Lord Chatham;' and again, a little later, 'No consideration in life shall make me stoop to opposition.'[1]

It is worthy of notice that the determination of the King at any cost to his country, and in defiance of the most earnest representations of his own minister and of the most eminent politicians of every party, to refuse to send for the greatest of living statesmen at the moment when the Empire appeared to be in the very agonies of dissolution, was not solely or mainly due to his own opinions on the American question. Chatham had declared, as strongly as the King himself, his determination not to concede American independence; and the King, by permitting Lord North to introduce his conciliatory Bills, had sanctioned the surrender of every other constitutional question in dispute. The main motives that influenced the King were personal. The many provocations he had undoubtedly received from Chatham had produced in his eminently sullen and rancorous nature an intensity of hatred which no consideration of patriotism could

[1] *Fox's Correspondence*, i. 188, 189; *Correspondence of George III. with Lord North*, ii. 149, 153.

overcome, and he also clearly saw that the triumph of the Opposition would lead to the destruction of that system of personal government which he had so laboriously built up. Either Chatham or Rockingham would have insisted that the policy of the country should be directed by its responsible ministers, and not dictated by an irresponsible sovereign. It is not difficult to detect in the passionate expressions of the King that it was the great question in whose hands the real and efficient determination of the policy of government was to rest that most deeply affected his mind. The Opposition, he said, 'would make me a slave for the remainder of my days.' 'Whilst any ten men in the kingdom will stand by me I will not give myself up into bondage.' 'I will never put my hand to what would make me miserable to the last hour of my life.' 'Rather than be shackled by those desperate men (if the nation will not stand by me, which I can never suppose), I will rather see any form of government introduced into this island, and lose my crown than wear it as a disgrace.' No change, he emphatically said, should be made in the Government which did not leave North at its head, and Thurlow, Suffolk, Sandwich, Gower, Weymouth, and Wedderburn in high office. On such conditions he well knew that he could always either govern or overthrow the administration.[1]

This episode appears to me the most criminal in the whole reign of George III., and in my own judgment it is as criminal as any of those acts which led Charles I. to the scaffold. It is remarkable how nearly, many years later, it was reproduced. Terrible as was the condition of England in 1778, the dangers that menaced it in 1804 were probably still greater. The short peace of Amiens had ended; Napoleon, in the zenith of his power and glory, was preparing the invasion of England, and the very existence of the country as a free and independent State was menaced by the most extraordinary military genius of modern times, disposing of the resources of the greatest and most warlike of Continental nations. Under these circumstances, Pitt strenuously urged upon the King the necessity of a coalition of parties, and especially of the introduction of

[1] *Correspondence of George III. with Lord North*, ii. 151, 154, 156.

Fox into the Ministry. Fox had not, like Chatham, shown the genius of a great war minister; but he was at the head of a powerful party in the State, and, as he had been one of the strongest opponents of the war when it first broke out, his acceptance of office would not only have given Government the strength it greatly needed, but would also have been the most emphatic demonstration of the union of all parties against the invaders. But the obstinacy of the King proved indomitable. He 'expressed his astonishment that Mr. Pitt should one moment harbour the thought of bringing such a man [as Fox] before his royal notice.' He announced that the great Whig statesman was excluded by his 'express command;' and when, in the succeeding year, Pitt resumed his efforts, the King said 'that he had taken a positive determination not to admit Mr. Fox into his councils, even at the hazard of a civil war.'[1]

It is an idle, though a curious question, whether it would have been possible for Chatham at the last moment to have induced the Americans to acquiesce in anything short of complete independence. If the foregoing narrative be truly written, it will appear manifest to the reader that a great part of the American people had never really favoured the Revolution, and that there were many of the remainder who would have been gladly reunited with England on terms which Chatham was both ready and eager to concede. The French alliance had, however, made it a matter of honour and of treaty obligation for the Americans to continue the struggle, and passions had risen to a point that made reconciliation almost hopeless. The Rockingham party, in strongly asserting that an immediate recognition of American independence was the true policy of England, probably took a more just view of the situation than Chatham, while, on the other hand, their declaration would have greatly aggravated the difficulty of carrying out his policy. Nor was it possible that the task of reconciliation, even if it were practicable, could have been reserved for Chatham. The sands of that noble life were now almost run. On April 7, 1778, he appeared for the last time in the House of Lords. Wrapped in flannel, supported on crutches, led in

[1] Russell's *Life of Fox*, iii. 330–332, 349.

by his son-in-law Lord Mahon, and by that younger son who was destined in a few years to rival his fame, he had come to protest against an address moved by the Duke of Richmond calling upon the King to withdraw his forces by land and sea from the revolted colonies. His sunk and hueless face, rendered the more ghastly by the still penetrating brilliancy of his eyes, bore plainly on it the impress of approaching death, and his voice was barely audible in the almost breathless silence of the House; but something of his old fire may be traced in the noble sentences of indomitable and defiant patriotism with which he protested 'against the dismemberment of this ancient and most noble monarchy,' and laughed to scorn the fears of invasion. After the reply of the Duke of Richmond, he tried to rise again, but fell back senseless in an apoplectic fit. He lingered till May 11. It was afterwards remembered that, as he lay on his death-bed looking forward to his own immediate end, he caused his son to read to him the passage in Homer describing the stately obsequies of Hector and the sorrow and despair of Troy.

The death of Chatham would under any circumstances have made a profound and general impression, and the closing scene in the House of Lords was eminently fitted to enhance it. It was an exit, indeed, combining every element of sublimity and pathos. So awful a close of so glorious a career, the eclipse of a light that had filled the world with its splendour, the remembrance of the imperishable glory with which the dying statesman had irradiated, not only his country, but the dynasty that ruled it, the prescience with which he had protested at every stage against the measures that had ruined it, the lofty patriotism which, amid many failings and some follies, had never ceased to animate his career—appealed in the strongest manner to every sensitive and noble nature. Lord North showed on the occasion the good-feeling and generosity which never failed to distinguish him when he was able to act upon his own impulses; and Burke, though he had long and deeply disliked Chatham, combined with Fox in paying an eloquent tribute to his memory. The vote of a public funeral and monument, and a Bill paying the debts of the deceased statesman and annexing, for all future time, an annuity of 4,000*l.* a year to

the title of Chatham, were carried almost unanimously through Parliament.

Beneath this decorous appearance, however, we may trace some very different feelings, and there were those who looked with indifference, if not with pleasure, on the death of Chatham. When he was struck down by the fatal fit the King wrote curtly and coldly to North, 'May not the political exit of Lord Chatham incline you to continue at the head of affairs?' When Parliament a little later voted a public funeral for the most illustrious of English statesmen, the King wrote, 'I was rather surprised the House of Commons have unanimously voted an address for a public funeral and a monument in Westminster Abbey for Lord Chatham, but I trust it is voted as a testimony of gratitude for his rousing the nation at the beginning of the last war . . . or this compliment, if paid to his general conduct, is rather an offensive measure to me personally.' When the funeral took place it was observed that all persons connected with the Court were conspicuously absent.[1]

Among the politicians of the Opposition also there were some who looked upon the removal of Chatham in a very similar spirit. The Duke of Portland, who at a later period became the head of the Whig connection, wrote to Rockingham declining, on the plea of private business, and in terms that are singularly disgraceful both to his head and heart, to be present at the funeral of Chatham. 'I feel no inducement,' he wrote, 'to attend the ceremony this morning, but the pleasure of meeting you.' He approved of the conduct of Lord Rockingham in attending the funeral, but added a sentence, which is peculiarly painful as showing the opinion of the man to whom, beyond all others, Chatham was attached by the warmest personal and political friendship. 'Lord Camden might possibly not be much mistaken in considering Lord Chatham's death as a fortunate event.'[2] Chatham, indeed, though in his own family he was one of the most amiable of men, and though in the country at large he was the object of an almost adoring affection,

[1] *Correspondence of George III with Lord North*, ii. 171, 184-186.

[2] Albemarle's *Life of Rockingham*, ii. 356, 357. In a letter written immediately after the fit of Chatham, which Lord Stanhope prints from the Grafton papers, Camden speaks somewhat more feelingly on the subject. See, too, the *Chatham Correspondence*, iv. 519-528.

never had the power of attaching to himself real private friends. Camden and Shelburne were the two statesmen to whom he appears to have given his fullest confidence, but Camden considered his death a fortunate event, and Shelburne, in his posthumous memoir, did the utmost in his power to blacken his memory.

His death, though it gave substantial unity to the Opposition, no doubt on the whole strengthened the Government. By far the greatest name opposed to it was removed, and nearly the whole Opposition now advocated the concession of complete American independence, for which the country was most certainly as yet not prepared. The declaration of France aroused the indignation of the nation and changed the sentiments of many. Perhaps the class among whom the Americans had hitherto found the warmest and most uncompromising friends were the Presbyterians of Ulster, and a letter from Buckingham, the Lord Lieutenant, written immediately after the new war had become inevitable, asserts that 'by accounts received from very good authority, the idea of a French war has not only altered the language but the disposition of the Presbyterians.'[1] In England too, many who had refused to regard the Americans as enemies, determined, as a matter of patriotism, to rally round the Government, now that a foreign enemy was in the field.[2] The militia were called out; some great noblemen undertook to raise regiments. The old spirit of international rivalry, the old self-confidence, and the old pugnacity were fully stirred, and the nation prepared with a thrill of not unjoyful enthusiasm to encounter its old enemy.[3] In the negotiations that had taken place just before the death of Chatham it had at one time appeared not improbable that a considerable fusion of parties might be effected. Fox, though usually acting with the Rockingham Whigs, had not yet finally attached himself to them, and it is a remarkable fact that, although he at this very time surpassed all other politicians in the extraordinary violence and power of his attacks upon the ministers, he had no disinclination to take office with them in a coalition ministry. He appears to have insisted only that places should be found for some other mem-

[1] Buckingham to Weymouth (Private), March 29, 1778.—MSS., Record Office.

[2] See Walpole's *Last Journals*, ii. 232, 233.

[3] See Lady Minto's *Life of Hugh Elliot*, pp. 142–145.

bers of the Whig party, that the measures he had protested against relating to America should be repealed, and that Lord George Germaine should be excluded.[1] Negotiations arising from the desire of Lord North to resign went on in an intermittent manner for several months, and in January, 1779, Fox wrote to Lord Rockingham, expressing a decided inclination for a coalition ministry, provided that North, Germaine, and Sandwich were no longer members. He contended that it was only by a gradual introduction of a Whig element into the cabinet that the national policy could be modified. Rockingham, on the other hand, acting on the opinion which Burke had steadily advocated, considered that the party connection or organisation must be inflexibly maintained, and that the Whigs should only accept administration in a body and on such terms as would enable them fully to control its policy. Richmond wrote a long and very able letter advocating the same view, and it is evident that he considered a junction of Fox with the greater part of the North ministry extremely probable.[2]

The opinion of Rockingham and Richmond prevailed, and all overtures to the Whigs were at this time rejected, but in the course of 1778 a few minor changes were made. In February Sir W. Howe, at his own request, was recalled from America and succeeded in the command of the English army by Sir Henry Clinton. In March, in consequence of a personal quarrel, the resignation of Lord G. Germaine was tendered and accepted, but it was afterwards withdrawn, apparently on account of the difficulty of finding a successor, and shortly after, some changes were made in the legal appointments. In the negotiations that preceded the death of Chatham, Shelburne had noticed and deplored the growing importance of lawyers in politics, and it was from this class that by far the ablest of the King's friends were drawn. The ministry of Lord North was on the whole very deficient in ability, but its Attorney-General and its Solicitor-General were both men of extraordinary talent. Thurlow and Wedderburn—the Moloch and the Belial of their profession—had both made it their line of

[1] See a curious paper by Eden describing a secret negotiation he carried on with the Opposition as agent of the Government in March 1778.—*Fox's Correspondence*, i. 180–183.

[2] Ibid. i. 206–223.

policy to attach themselves specially to the King. Thurlow was not a great lawyer, but he was a most powerful and ready debater, a man of much rugged sense and indomitable courage, coarse, violent, arrogant, shameless and profane. A leonine countenance, a loud commanding voice, fierce, shaggy brows, a demeanour like that of an insolent counsel brow-beating a timid witness and manifestly delighting in his distress, a quickness of repartee that seldom or never failed him, and a complete freedom from every vestige of deference, modesty, or hesitation, all added to the impression of overbearing and exuberant strength which he made on those with whom he came in contact. On a single question—the excellence of the African slave trade—he appears to have had a genuine conviction almost rising to enthusiasm, but in general though he had a strong natural bias towards harsh and despotic measures, he seems to have taken his politics much as he took his briefs, and he had that air of cynical, brutal and almost reckless candour which is sometimes the best veil of a time-serving and highly calculating nature. Wedderburn, who had already astonished the world by the flagrancy of one great act of apostasy, had not indeed the daring or the power, the genuine simplicity and directness of intellect that enabled Thurlow to play so great a part in politics, but he excelled him and almost all his other contemporaries in the art of elaborate and subtle reasoning, and he was in the highest degree plausible, insinuating, persevering, dexterous, and intriguing. Both of these men played a great part in the political system of George III. as representing especially the King in Cabinets which did not possess his full confidence, and in June 1778, Lord Bathurst, being induced to resign the Chancellorship, was replaced by Thurlow, who thus passed into the Cabinet. The promotion was one for which the King was extremely anxious with a view to the apparently imminent resignation of North.

In America the intervention of France speedily changed the conditions of the war. Philadelphia, though it had so lately been the seat of the Revolutionary Congress, never appears to have shown any restlessness under the English occupation. There were no doubt many Whigs among the young men, and a portion of the population had emigrated, but there appears to have been no

popular movement against the English, no difficulty in supplying them with all that they required, no necessity for any military measures of exceptional stringency, no signs of that genuine dislike which had been so abundantly displayed at Boston. The English officers were received in the best society with much more than toleration, and they soon became extremely popular. The winter during which the forces of Washington remained half-starved at Valley Forge, and in which their commander complained so bitterly of the sullen or hostile attitude of the population, was long remembered in Philadelphia for its gaiety and its charm. In May, 1778, a more than commonly splendid festival was given by the English officers in honour of Sir William Howe, who was just leaving America, and of his brother. It was called the Mischianza, and comprised a magnificent tournament, a regatta, a ball, and a great display of fireworks, with innumerable emblems and exhibitions of loyalty to England. It brought together one of the most brilliant assemblages ever known of the youth, beauty, and fashion of Philadelphia, and it was afterwards remembered that the unfortunate Major André was one of the most prominent in organising the entertainment, and that the most admired of the Philadelphian beauties who adorned it was Miss Shippen, soon after to become the wife of Benedict Arnold.[1]

Very soon, however, the aspect of affairs was changed, and in June, 1778, Clinton, in consequence of express orders from England, evacuated Philadelphia, and prepared to fall back on New York. The blow was a terrible one, and no less than 3,000 of the inhabitants went into banishment with the British army.[2] The Delaware was crowded with ships bearing broken-

[1] Many curious particulars about the Mischianza will be found in Arnold's *Life of Benedict Arnold*, pp. 224–227, and Jones's *Hist. of New York*, i. 241–251, 716–720. A pen-and-ink sketch of Miss Shippen in the Mischianza, drawn by André, is still preserved. The editor of Jones's *History* has preserved a remarkably pretty poem by a Philadelphian lady describing the charm of the English occupation of that town. Some interesting letters describing Philadelphia in the summer of 1778, written by Eden the Commissioner and by his wife, will be found in Lady Minto's *Life of Hugh Elliot*, pp. 173–178. Mrs. Eden writes: 'I found the account we had heard of so much apparent distress in the town perfectly false; indeed it is quite impossible to believe by the people's faces and the extreme quietness of the town, that you are not in a city perfectly at peace and at ease. As to security I feel quite as safe here as if I was in my own dressing-room in Downing-street,' p. 176.

[2] Ibid. p. 177.

hearted fugitives who had left nearly all they possessed, and of those who remained many were banished or imprisoned by the Americans. The retreat was effected without much difficulty, though the Americans tried to impede it, and fought a battle with that object at Monmouth. In July, Count D'Estaing arrived off the coast with a French fleet of twelve ships of the line, four frigates, and about 4,000 French soldiers. He had hoped to find Lord Howe's fleet still in the Delaware, where it had gone to cooperate with the army in Philadelphia, and as that fleet was less than half the size of his own, it would in this case scarcely have escaped. The English, however, were already at New York, and D'Estaing followed them there; but though he for a time blockaded, he did not attempt to force the harbour. The French had for a few weeks a complete command of the sea, and by the advice of Washington an attempt was made to capture, or annihilate, the British force which had occupied Rhode Island since December, 1776, and which now amounted to about 6,000 men. An American force of 10,000 men, consisting partly of a section of the army of Washington, and partly of militia and volunteers raised in New England, was placed under the command of General Sullivan, and it succeeded on August 9 in landing on the island. The French fleet had a few days before forced its way into Newport harbour and obliged the English to burn several transports and warships in order to prevent them from falling into the hands of the enemy. The operations of the French and Americans appear, however, to have been badly combined, and they ended in complete and somewhat ignominious failure. Four ships of the line—the first ships of a fleet sent from England under Admiral Byron—had just joined Lord Howe, who hastened, though still inferior to the French, to encounter them, when a great storm separated and dispersed the rival fleets, and greatly injured some of the French ships. To the extreme indignation of the Americans, and in spite of an angry written protest by Sullivan, the French admiral refused to pursue the enterprise, and withdrew his ships under the shelter of the batteries of Boston. Between two and three thousand of the troops of Sullivan at once deserted, and it was with much difficulty, and after some hard fighting, that

the remainder succeeded in effecting their retreat.[1] Clinton, with 4,000 men, had hastened to the relief of Rhode Island, but owing to adverse winds he arrived just too late, and returned to New York.

Several small expeditions, however, were made, and the war on the part of the English was in 1778 carried on with energy and success, but sometimes with great harshness and barbarity. They destroyed two or three little naval towns which had been conspicuous resorts of American privateers, burnt numerous houses and great quantities of shipping, and carried away much cattle and large stores of arms. They surprised by a night attack a regiment of light cavalry in New Jersey, and also a small brigade under Count Pulaski, and they almost cut them to pieces, little or no quarter being given. A more considerable expedition was sent to Georgia, where the loyalist feeling had always been very strong, and it speedily captured Savannah, the capital of the province, and drove the American troops into South Carolina. The inhabitants of Georgia for the most part gladly took the oath of allegiance; many of them bore arms in the service of the Crown, and a State legislature acknowledging the royal authority was once more established in the province. Some predatory guerilla war was carried on with various success along the borders of Florida, and a very horrible Indian war raged near the Susquehanna. The desolation of the new and flourishing settlement of Wyoming by 900 Indians, accompanied by about 200 loyalists under Colonel John Butler, has furnished the subject of a well-known poem by Campbell. It was accompanied by all those circumstances of murder, torture, and outrage that usually followed Indian warfare, and about three months later it was terribly avenged by some Pennsylvanian troops under another Colonel

[1] 'The deep disappointment of Washington appears clearly in his letter to his brother. 'An unfortunate storm (so it appeared, and yet ultimately it may have happened for the best), and some measures taken in consequence of it by the French admiral, perhaps unavoidably blasted in one moment the fairest hopes that ever were conceived, and from a moral certainty of success rendered it a matter of rejoicing, to get our own troops safe off the island. If the garrison of that place, consisting of nearly 6,000 men, had been captured, as there was in appearance at least a hundred to one in favour of it, it would have given the finishing blow to British pretensions of sovereignty over this country.'—Washington's *Works*, vi. 68, 69.

Butler. In November D'Estaing sailed from Boston, quickly followed by an English fleet, to carry the war into the West Indies.

The magnitude of the empire and interests of England was indeed vividly illustrated by the enterprises of the year, and there was no want of that vigour and daring which in the earlier American operations had been so conspicuously absent. In Hindostan the English at once took up arms against the French settlers, and before 1778 had ended all the French possessions in India had fallen into their hands, except the little fort of Mahé on the coast of Malabar, which was taken in the following year. In another and far distant quarter the French settlements on the islands of Miquelon and St. Pierre, which had been assigned at the peace of Paris as the centres of the French Newfoundland fisheries, were destroyed. In the West Indies, Bouillé, the French governor of Martinique, succeeded in capturing the neighbouring island of Dominica; but, on the other hand, St. Lucia was taken from the French. In the following year, however, the balance was turned in their favour by the capture of the English islands of St. Vincent and Grenada. At home the English discovered with alarm that the naval preparations of France were much more considerable than they had anticipated. The command of the Channel fleet was given to Admiral Keppel—an appointment very creditable to the Government, for Keppel was a member of Parliament on the side of the Opposition, and was appointed only on account of his great professional eminence. He sailed in June towards the French coasts, and captured or destroyed two French frigates before war had been formally declared, but retired precipitately on discovering that the French fleet was much greater than his own. Having received reinforcements, he again sailed in July, and fought a somewhat larger French fleet off Ushant. The battle was indecisive. It was terminated by a sudden squall and the approach of night, and next day neither commander was disposed to renew it. The result created much disappointment in England, and bitter recriminations broke out between Keppel and Sir Hugh Palliser, the second in command. The conflict was greatly increased by party spirit, for both admirals were members of Parliament, and they were

attached to opposite parties. Each of them demanded a court-martial. Keppel was in all respects fully acquitted, and he received the thanks of the House, but he was so angry at what he conceived to be the bias of the Government, that he threw up his command; while Palliser was also acquitted on every serious point that was alleged against him, though he was censured for not having apprised the commander-in chief of the disabled state of his ship during the battle. Public opinion in London, and also in the navy, ran violently in favour of Keppel. London was illuminated for two nights on the occasion of his acquittal, and some serious riots were directed against Palliser and against the Admiralty.

The rapid growth of the navy of France was the most alarming feature of the year, but on the whole the English appeared still to hold their accustomed pre-eminence in seamanship. It was feared that the sudden outbreak of the war with France would lead to the destruction of a great part of the British commerce which was now afloat, but these fears were not realised. By sound seamanship, by good fortune, and by the neglect of the enemy, an important fleet of merchantmen from the East Indies, another from Lisbon, and a third from Jamaica, all arrived in safety,[1] while English privateers swept every sea with their usual enterprise and success. It was computed that by the end of 1778 the Americans alone had lost not less than 900 vessels.[2]

The internal dissensions, and the great want of any efficient organisation which had hitherto impaired the American enterprises, continued unabated. At the end of 1777 there was a long and bitter cabal against Washington by Generals Gates, Miffin, and Conway, supported by some members of Congress, and forged letters attributed to Washington were printed and widely disseminated. Lee, who had now been exchanged, and again put at the head of an American army, was removed from his command by court-martial on account of his disobedience to Washington at the battle of Monmouth, followed by disrespectful language to his chief. An extreme jealousy of the army was one of the strongest feelings of

[1] Walpole's *Last Journals*, ii. 289-292. [2] Hildreth, iii. 241.

Congress, and a long and painful dispute took place with the commander-in-chief about the wisdom of providing half-pay for the American officers when the war was over. In some very remarkable and well-reasoned letters, Washington urged its absolute necessity. 'Men may speculate,' he wrote, 'as they will; they may talk of patriotism; they may draw a few examples from ancient stories of great achievements performed by its influence; but whoever builds upon them as a sufficient basis for conducting a long and bloody war, will find himself deceived in the end. . . . I know patriotism exists, and I know it has done much in the present contest; but I will venture to assert that a great and lasting war can never be supported on this principle alone. It must be aided by a prospect of interest or some reward.' In the English army commissions were so valuable that companies had lately been sold for from 1,500*l.* to 2,200*l.*, and 4,000 guineas had been given for a troop of dragoons. In the American army prices had risen to such a point through the depreciated currency, that it was scarcely possible for an officer to live upon his pay, and he had nothing to look forward to, when his service had expired. The result of this state of things was abundantly seen in 'the frequent defection of officers seduced by views of private interest and emolument to abandon the cause of their country.' 'Scarce a day passes without the offer of two or three commissions,' and 'numbers who had gone home on furlough mean not to return, but are establishing themselves in more lucrative employments.' 'The salvation of the cause,' Washington solemnly avowed, depends on the establishment of some system of half-pay, and without it the 'officers will moulder to nothing, or be composed of low and illiterate men void of capacity for this or any other business.' 'The large fortunes acquired by numbers out of the army afford a contrast that gives poignancy to every inconvenience from remaining in it.' But for the sudden prospect of a speedy termination of the war given by the French alliance, Washington doubted whether in the beginning of 1779 America would have 'more than the shadow of an army,' and in spite of that alliance he believed that few officers could or would remain on the present establish-

ment.[1] A compromise was at last effected in 1778 by which the officers who served to the end of the war were to receive half pay for seven years, and the common soldiers who served to the end of the war a gratuity of 80 dollars.[2]

The enlistments, as usual, continued very slow. Scarcely a third part of the men voted by the different states actually came in, and it was found necessary to take extraordinary measures to obtain recruits. In the beginning of the war a few free negroes had been admitted into the army of Washington, and in 1778 a regiment of slaves was raised in Rhode Island. They were promised their freedom at the close of the war, and the owners were compensated for their loss. The negroes proved excellent soldiers; in a hard-fought battle that secured the retreat of Sullivan they three times drove back a large body of Hessians, and during the latter years of the war large numbers of slaves were enlisted in several states.[3] Some recruits were also drawn from another and a much more shameful source. The convention of Saratoga had explicitly provided that the captive army of Burgoyne should without delay be sent to Boston, and should there be met by English transports and embarked for England, on the condition that it should not serve in North America during the existing war. This article was naturally disliked by the Congress, as it allowed the English troops to be employed either in home garrisons or in foreign service, except in America, and it was deliberately and most dishonourably violated. The keen legal gentlemen who directed the proceedings of Congress had no difficulty in discovering pretexts, though they were so flimsy that it is difficult to understand how any upright man could for a moment have admitted them. Something was said about a deficiency in the number of cartouche boxes surrendered, but the ground ultimately taken was an expression in a letter of General Burgoyne. Shortly after the surrender six or seven English officers had been crowded together in one room without any distinction of rank, contrary to the 7th article of the convention, and Burgoyne, in remonstrating against the proceeding, had incautiously

[1] Washington's *Works*, v. 305, 312, 313, 322, 323, 328, 351; vi. 168.

[2] Hildreth, iii. 245.

[3] See *Historical Notes on the Employment of Negroes in the American Army*, by George H. Moore.

used the expression, 'the public faith is broken.' This, the Congress maintained, was equivalent to a repudiation of the convention by one of its signers. Burgoyne at once wrote disclaiming any such intention, and he formally pledged himself that his officers would join with him in signing any instrument that was thought necessary for confirming the convention, and removing all possible doubt of its being binding upon the English Government. The Congress, however, pretended to be unsatisfied, and resolved to detain the English troops 'till a distinct and explicit ratification of the convention of Saratoga be properly notified by the Court of Great Britain to Congress.' No such ratification could be obtained for several months, and it was doubtful whether the English would consent to it, as it involved a recognition of the Congress, and was at the same time absolutely without necessity, according to the terms of the convention. The commissioners, however, who came to America in 1778 with the fullest powers to negotiate on the part of the King and Parliament, offered to renew the convention; and Sir H. Clinton subsequently sent to the Congress instructions from the English Secretary of State authorising him expressly to demand a fulfilment of its terms, and, if required, to ratify in the King's name all the conditions stipulated in it; but the Congress still refused to release the prisoners, who were thus by an act of barefaced treachery detained in America for several years.[1] After a time, many of them were persuaded to enlist in the American army, and Massachusetts appears to have especially employed them as substitutes for her own citizens, who refused to serve. Washington strongly censured this practice, which was as impolitic as it was dishonourable, for many of the captive soldiers only joined the American army in order to escape, and soon found themselves again under their own flag, where, under the very peculiar circumstances of the case, they were gladly welcomed.[2]

On the part of the English there were manifest signs of a

[1] Ramsay, ii. 56–57; Stedman, ii. 56–57. That excellent and most impartial American historian, Mr. Hildreth, has related the circumstances of this transaction with a severe and simple truthfulness (*History of the United States*, iii. 237, 255–256) which is much more honourable to his countrymen than the laboured apologies of Mr. Bancroft.

[2] Washington's *Works*, v. 287, 346–347.

fiercer spirit and a harsher policy than had hitherto been pursued, and a very bad impression was made by some sentences in the address issued by the English Commissioners before they left the continent after their unsuccessful mission. While making wide offers of pardon and reconciliation to the separate states and to all individuals who renewed their allegiance to the Crown, they added that hitherto the English had as much as possible 'checked the extremes of war, when they tended to distress a people still considered as our fellow-subjects and to desolate a country shortly to become again a source of mutual advantage.' By throwing themselves into the arms of the natural enemy of England, the Americans had changed the nature of the contest, 'and the question is, how far Great Britain may by every means in her power destroy or render useless a connection contrived for her ruin and for the aggrandisement of France. Under such circumstances the laws of self-preservation must direct the conduct of Great Britain; and if the British colonies are to become an accession to France, will direct her to render that accession of as little avail as possible to her enemy.'[1] It is extremely difficult amidst the enormous exaggerations propagated by the American press to ascertain how far the English in this contest really exceeded the ordinary rights of war. It was the manifest interest of the revolutionary party to aggravate their misdeeds to the utmost, both for the purpose of inflaming the very languid passions of their own people and of arousing the indignation of Europe, and much was said in the excitement of the contest which seems singularly absurd when judged in the dispassionate light of history. George III. was habitually represented as a second Nero. The Howes—who, whatever may have been their other faults, were certainly free from the smallest tendency towards inhumanity—were ranked 'in the annals of infamy' with Pizarro, Alva, and Borgia. There were proposals for striking medals representing on one side the atrocities committed by the English, and on the other the admirable actions of the Americans—for depicting British barbarities upon the common coins, for introducing them as illustrations into schoolbooks in order to educate the American youth into undying hatred of

[1] Stedman, ii. 60–61.

England.[1] If we put aside the Indian wars, it does not appear to me that anything was done in America that was not very common in European wars, but there were undoubtedly many acts committed for which the English had deep reason to be ashamed. Owing apparently to a want of management or proper organisation, the American prisoners who had been confined in New York and Fort Washington after the battle at Long Island were so emaciated and broken down by scandalous neglect or ill-usage that Washington refused to receive them in exchange for an equal number of healthy British and Hessian troops.[2] There were numerous instances of plunder and burning of private houses brought home to the British soldiers or to their German allies; and several small towns were deliberately burnt, because they had fired on the British soldiers, because they had become active centres of privateering, or because they contained stores and magazines that might be useful to the American army.

In the horrible tragedy at Wyoming the English do not appear to have been directly concerned, but some American loyalists took part in, or prompted its worst atrocities, and the hatred between the loyalists and the Whigs became continually stronger. The former were being rapidly driven to despair. The wholesale confiscation of their properties; their shameful abandonment on many occasions by the British troops; the innumerable insults and injuries inflicted on them by their own countrymen, and the almost certain prospect that England must sooner or later relinquish America, had rendered their position intolerable. The Congress, by a resolution passed in December 1777, ordered that all loyalists taken in arms in the British service should be sent to the States to which they belonged to suffer the penalties inflicted by the laws of such States against traitors.[3] When Philadelphia was reoccupied by the Americans, Washington vainly desired that pardon should be granted to such loyalists as consented to remain in the town, but no such proposition was listened to. Two Quaker gentlemen of considerable position in Philadelphia, who were convicted of having

[1] See Moore's *Diary of the American War, passim.* American *Diplomatic Correspondence*, i. 500–507; iii. 107, 127–128. Adams's *Familiar Letters*, pp. 258, 259, 266.

[2] See Washington's *Works*, i. 240–241; iv. 380–386, 557–559.

[3] Ibid. v. 308–309.

actively assisted the English during the period of the occupation, were hanged; and twenty-three others were brought to trial but acquitted.

It is, however, but justice to the Americans to add that, except in their dealings with their loyal fellow-countrymen, their conduct during the war appears to have been almost uniformly humane. No charges of neglect of prisoners, such as those which were brought, apparently with too good reason, against the English were substantiated against them. The conduct of Washington was marked by a steady and careful humanity, and Franklin also appears to have done much to mitigate the war. It was noticed by Burke, that when a great storm desolated the West Indian Islands in 1780, Franklin issued orders that provision ships should pass unmolested to the British as well as to the other isles, while the English thought this a proper time to send an expedition against St. Vincent's, to recover it from the French.[1] In the instructions which Franklin gave to Paul Jones in 1779, he ordered him not to follow the English example of burning defenceless towns except where 'a reasonable ransom is refused,' and in that case to give such timely notice as would enable the inhabitants to remove the women and children, the sick and the aged.[2] In the same year he issued directions to all American vessels who might encounter the great navigator, Captain Cook, not only not to molest him, but to give him every assistance in their power as a benefactor to the whole human race.[3]

The relations of the Americans with their new allies were by

[1] *Parl. Hist.* xxii. 220.

[2] American *Diplomatic Correspondence*, iii. 78.

[3] Ibid. pp. 67, 68. It must be admitted however that as early as 1777 both Franklin and Deane had given their full approbation to projects that were entertained of burning and plundering Liverpool and Glasgow (ibid. i. 92, 298), and Lee strongly recommended the burning of Philadelphia in 1776 (Moore's *Treason of Charles Lee*, p. 69). Washington contemplated burning Newport, the capital of Rhode Island (Washington's *Works*, vi. 373), but this was in order to dislodge an English army, and he was never guilty of such depredations as those perpetrated by the English in Connecticut and Virginia. In 1779 Congress ordered the marine committee to take measures for burning and destroying towns belonging to the enemy in Great Britain and the West Indies as a measure of retaliation, but this order was never carried into effect (Adolphus, iii. 59). Lord Cornwallis asserts that the Americans treated their prisoners in S. Carolina with 'an inhumanity scarcely credible,' and that several were barbarously murdered (Cornwallis, *Correspondence*, i. 67, 71), but these appear to have been loyalists.

no means untroubled. In the army the jealousy between the American and the foreign officers was extreme. Even Washington was once tempted to express a wish that there was not a single foreigner in the army except Lafayette,[1] and some of the strongest feelings of the American population were shocked by the alliance with the French. The New Englanders had always been taught to regard France as a natural enemy, and they were Protestants of Protestants. Congress, having very lately expressed its unbounded horror at the encouragement by England of Popery in Canada, had now allied itself with the leading Catholic power against the leading Protestant power of Europe. Very bitter indignation was felt and expressed at the conduct of Count D'Estaing in retiring from Rhode Island, and it needed all the tact and unvarying moderation of Washington to prevent at this time an open outbreak. At Boston and at Charleston there were violent riots between the French sailors and the populace, and several lives were lost. The subsequent departure of the French squadron for the West Indies was deemed a proof that France was only regarding her own interests in the contest. A plan of again invading Canada with a combined force of French and Americans was propounded by Lafayette in 1778, and was warmly espoused by many members of Congress, but Washington, in a most remarkable secret letter, warned them of its extreme political danger. The French, he said, had no doubt bound themselves by the treaty of alliance not to regain any of the territory in America which they had abandoned at the Peace of Paris, but if a large body of French troops found themselves in possession of the capital of the province which had so lately belonged to France, and which was bound to France by the ties of religion and race and old associations, was it likely that they would relinquish it? By keeping Canada France would gain a vast commerce, absolute command of the Newfoundland fishery, the finest nursery of seamen in the world, complete security for her own islands, and what, perhaps, she would value not less, a permanent control over the United States. If, as seemed probable, France and Spain would soon combine to destroy the naval power of England, they would be without a rival on the sea, and France could always pour troops into Canada

[1] Washington's *Works*, vi. 15, 47.

which would make all resistance by the Americans hopeless. In such case, America might again seek to be united with England, but she would find that England, if she had the disposition, would not have the power to help her. Nor was it difficult for the French to find a pretext for holding Canada, for they might treat it as a pledge or surety for the large sums for which America was already indebted to France.[1]

These arguments had probably a considerable weight with Congress, and the projected invasion was abandoned. The secret instructions, however, furnished by the French Government to Gerard, their minister in America, have of late years been laid before the public, and they show that France not only had no intention of taking possession of Canada, but also that she was determined as far as possible to discourage all attempts of the Americans to invade it. The possession of Canada and Nova Scotia by the English, and, if it could be attained, the possession of the whole or part of Florida by the Spaniards, would, in the opinion of the French ministers, be eminently favourable to French interests, for it would keep the American States in a condition of permanent debility and anxiety, and would, therefore, make them value more highly the friendship and alliance of France. So important did this consideration appear to Vergennes that he assured the French ambassador at Madrid of his perfect readiness to guarantee to England her dominion over Canada and Nova Scotia.[2]

The folly of continuing the war after the French alliance had been declared was keenly felt not only by the English Opposition and by continental Europe, but even by Lord North himself; but the determination of the King, and the pride that would relinquish no part of the British Empire, still prevailed, and sanguine hopes were entertained that American

[1] Washington's *Works*, pp. 106–110.

[2] Les députés du Congrès avaient proposé au roi de prendre l'engagement de favoriser la conquête que les Américains entreprendraient du Canada, de la Nouvelle-Ecosse et des Florides, et il y a lieu de croire que le projet tient fort à cœur au Congrès. Mais le roi a considéré que la possession de ces trois contrées, ou au moins du Canada par l'Angleterre, serait un principe utile d'inquiétude et de vigilance pour les Américains, qui leur fera sentir davantage tout le besoin qu'ils ont de l'alliance et de l'amitié du roi; il n'est pas de son intérêt de le détruire.' See the instructions to Gerard in Circourt's translation of Bancroft, *De l'action commune de la France et de l'Amérique*, iii. 259. See too pp. 307, 311–312

resistance might even now speedily collapse.[1] Nor were those hopes without some real foundation. In May 1778 Washington himself expressed his fear that 'a blow at our main army, if successful, would have a wonderful effect upon the minds of a number of people still wishing to embrace the present terms, or indeed any terms, offered by Great Britain.'[2] Recruits, which were always obtained with great difficulty and in insufficient numbers, became still more rare as soon as there was a prospect of foreign assistance, and the depreciation of the continental currency continued with an accelerated speed. Nothing in the American Revolution is more curious than the obstinacy with which the several States, to the end of 1778, refused the urgent and repeated entreaties of Congress to impose some serious taxation in order to meet the enormous expenses of the war.[3] Whether it was timidity, or indifference, or parsimony may be difficult to say, but Congress everywhere met with a refusal, and the consequent derangement of the currency steadily grew, and in reality imposed far more serious loss than the heaviest taxation. But for the large sums of money which France annually sent, the struggle could hardly have continued, and already to those brave men who still continued to serve their country in the field without entering into questionable speculations, life was fast becoming almost impossible. Washington wrote in October 1778 that the most puny horses for military purposes cost at least 200*l.*, a saddle 30*l.* or 40*l.*; boots 20*l.*; flour sold at different places from 5*l.* to 15*l.* per hundredweight; hay from 10*l.* to 30*l.* per ton, and other essentials in the same proportion.[4] Six months later

[1] A certain Captain Blankett from the *Victory* (May 31, 1778), forwarded to Shelburne an abstract of an intercepted letter of a French engineer giving his impressions of the state of things at this time prevailing in America. He thought that the Americans owed their success much more to English blunders than to themselves, and that if Howe had followed up his victory at Brandywine, the wholeAmerican army would have been dispersed. 'Each state,' he writes, 'is jealous of the other. The spirit of enthusiasm in defence of liberty does not exist among them; there is more of it for the support of America in one coffee-house in Paris than is to be found in the whole continent. The Americans are averse to war from a habit of indolence and equality. Their antipathy to the French is very great.'—*Lansdowne Papers, British Museum, Add. MSS.*, 24,131, p. 29. There is an admirably impartial and powerful summary of the arguments of the ministers to show that America must soon collapse, in the *Annual Register*, 1779, p. 106.

[2] Washington's *Works*, v. 359

[3] See Bolles's *Financial History*, pp. 193–198.

[4] Washington's *Works*, vi. 80.

Mrs. Adams wrote to her husband that all butchers' meat was from a dollar to eight shillings per lb.; corn 25 dollars a bushel; butter and sugar both 12*s.* a lb.; a common cow from 60*l.* to 70*l.*; labour six or eight dollars a day.[1] 'Unless extortion, forestalling, and other practices which have crept in and become exceedingly prevalent and injurious to the common cause, can meet with proper checks,' wrote Washington, 'we must inevitably sink under such a load of accumulated oppression.'[2] The evil was a growing one, and in the last month of 1778, when the French alliance and the immediate prospect of a Spanish alliance appeared to make the triumph of America a certainty, Washington was writing in a tone of extreme despondency: 'Our affairs are in a more distressed, ruinous, and deplorable condition than they have been since the commencement of the war;' 'the common interests of America are mouldering and sinking into irretrievable ruin if a remedy is not soon applied.'[3]

A feeling very much of the same kind was beginning to press upon the mind of the French Minister who was now the main support of the American cause. Two confidential letters written by Vergennes to the French ambassador at Madrid, in November 1778, are very curious, as showing that the closer view which the alliance had given him of the character, dispositions, and circumstances of the American people had profoundly disappointed him. With a little more energy England, he was convinced, might have totally suppressed the revolt, and even now, and in spite of the active intervention of France, he had great fears lest the whole edifice of American Independence should crumble into dust.[4]

[1] Adams's *Familiar Letters*, p. 361.

[2] Washington's *Works*, vi. 91.

[3] Ibid. p. 151. The evil was not confined to the Americans at home. Adams writing from Passy says, 'The delirium among Americans here is the most extravagant. All the infernal arts of stockjobbing, all the voracious avarice of merchants have mingled themselves with American politics here.'—*Familiar Letters*, p. 356.

[4] 'C'est gratuitement qu'on voit dans le peuple nouveau une race de conquérants. . . . Malgré le grand attachement que le peuple et même les chefs témoignent pour leur indépendance, je souhaite que leur constance ne les abandonne pas avant qu'ils en aient obtenu la reconnaissance. Je commence à n'avoir plus une si grande opinion de leur fermeté, parce que celle que j'avais de leurs talents, de leurs vues et de leur amour patriotique s'affaiblit à mesure que je m'éclaire.' 'Leur république, s'ils n'en corrigent pas les vices, ce qui me paraît très difficile . . . . ne sera jamais qu'un corps faible et susceptible de bien peu d'activité. Si les Anglais en avaient

In truth the American people, though in general unbounded believers in progress, are accustomed, through a kind of curious modesty, to do themselves a great injustice by the extravagant manner in which they idealise their past. It has almost become a commonplace that the great nation which in our own day has shown such an admirable combination of courage, devotion, and humanity in its gigantic civil war, and which since that time has so signally falsified the predictions of its enemies, and put to shame all the nations of Europe by its unparalleled efforts in paying off its national debt, is of a far lower moral type than its ancestors at the time of the War of Independence. This belief appears to me essentially false. The nobility and beauty of the character of Washington can indeed hardly be surpassed; several of the other leaders of the Revolution were men of ability and public spirit, and few armies have ever shown a nobler self-devotion than that which remained with Washington through the dreary winter at Valley Forge. But the army that bore those sufferings was a very small one, and the general aspect of the American people during the contest was far from heroic or sublime.[1] The future destinies and greatness of the English race must necessarily rest mainly with the mighty nation which has arisen beyond the Atlantic, and that nation may well afford to admit that its

mis davantage, ce colosse apparent serait actuellement plus soumis qu'il ne l'avait jamais été. Dieu fasse que cela n'arrive pas encore. Je vous avoue que je n'ai qu'une faible confiance dans l'énergie des Etats-Unis.'—Circourt, iii. 312–314.

[1] The following very emphatic passage is from a letter of Washington from Philadelphia, Dec. 30, 1778: 'If I were called upon to draw a picture of the times and of men from what I have seen, heard, and in part know, I should in one word say that idleness, dissipation, and extravagance seem to have laid fast hold of most of them; that speculation, peculation, and an insatiable thirst for riches seem to have got the better of every other consideration and almost of every order of men; that party disputes and personal quarrels are the great business of the day; whilst the momentous concerns of an empire, a great and accumulating debt, ruined finances, depreciated money and want of credit, which in its consequences is the want of everything, are but secondary considerations and postponed from day to day, from week to week, as if our affairs wore the most promising aspect. . . . Our money is now sinking 50 per cent. a day in this city, and I shall not be surprised if in the course of a few months a total stop is put to the currency of it; and yet an assembly, a concert, a dinner, or supper, will not only take men off from acting in this business, but even from thinking of it; while a great part of the officers of our army from absolute necessity are quitting the service, and the more virtuous few, rather than do this are sinking by sure degrees into beggary and want.'—Washington's *Works*, vi. 151, 152.

attitude during the brief period of its enmity to England has been very unduly extolled. At the same time, the historian of that period would do the Americans a great injustice if he judged them only by the Revolutionary party, and failed to recognise how large a proportion of their best men had no sympathy with the movement.

The year 1779 continued to present in England the same strange spectacle of an English ministry presided over by a statesman who believed its policy to be fundamentally wrong, who was again and again imploring the King to permit him to resign, and who again and again consented at the urgent wish of his sovereign to remain. The position of Lord North had long been morally untenable, and it became much worse in 1778, when he consented to accept from the King the office of Warden of the Cinque Ports, with an additional salary of 4,000*l.* a year.[1] Ten years earlier Lord Holland had expressed a wish to see his old rival Chatham again at the head of affairs, because, as he said, he was almost the only man he had ever seen in power who had no tinge of the general and fatal fault of irresolution;[2] but in this respect at least the King was in no way inferior to Chatham. Nothing could be clearer than the lines of his policy; nothing could be more inflexible than the resolution with which he pursued them. Two closely connected objects were continually before him, and they governed every part of his policy. In the first place America must be subdued, or perhaps conciliated, but under no possible circumstances abandoned. If the colonies obtained independence, Canada, the West Indian islands and Ireland would follow their example. A great empire would dwindle into a small kingdom, and every element of its power would disappear. The moral which the King drew from all the troubles of the last ten years was that 'this country gains nothing by granting to her dependencies indulgence.'[3] This opinion was no doubt held by many in England; it might be defended by serious arguments, and it would have been comparatively harmless had it not been accompanied in the

[1] See *Correspondence of George III. with Lord North*, ii. 193–195, 200. North, however, stated in 1779 that he believed the income of his Wardenship was really only about 1,000*l.* a year.—*Parl. Hist.* xx. 926.

[2] Fox's *Correspondence*, i. 58.

[3] *Correspondence of George III. with Lord North*, ii. 214, 253, 254, 258.

mind of the King by the strongest and most passionate conviction that it was his right and his duty as an English sovereign to force his own personal opinion upon the country, whatever might be the view of his ministers, of the Parliament, or of the nation. It was for him, as he expressed it, to 'steer the bark.' 'No circumstances,' he said, 'shall ever compel me to be dictated to by opposition.' 'I thank God I am not made of materials, whatever difficulties may ever surround me to stoop to that.' 'Nothing less will satisfy them than a total change of measures and men. To obtain their support I must deliver up my person, my principles, and my dominions into their hands.' Such a proposition 'totally destroys the only ground on which I can bring myself to accept the services of men of that description.' 'Before I will ever hear of any man's readiness to come into office I will expect to see it signed under his hand that he is resolved to keep the empire entire, and that no troops shall be consequently withdrawn from America nor independence ever allowed.'[1] It was impossible in England to govern without the concurrence of Parliament, but 'this country will never regain a proper tone unless ministers, as in the reign of King William, will not mind being now and then in a minority.'[2] Every means must at the same time be taken to secure a permanent predominance of the Crown in Parliament, and to prevent that predominance from being impaired by any of the fluctuations of opinion. At a time when the enormous amount of corrupt influence at the disposal of the Crown was the master scandal of English public life, the King complained bitterly that some employments had been granted for life instead of during pleasure, and that the power of the Crown had in that way been weakened, and he announced his fixed intention to oppose this system during his whole reign.[3] Lord North governed with a submission to the royal will unparalleled among prime ministers in modern English history; but yet the King seriously rebuked him for having on some occasions entered into plans of business or made arrangements of employments, without previously consult-

[1] *Correspondence of George III. with Lord North*, ii. 224, 225, 262, 269, 297, 298.

[2] Ibid. p. 228.

[3] Ibid. p. 193.

ing his master.[1] Nor was the popular portion of the representative body neglected. The details of the secret management of the House of Commons under Lord North have not been disclosed, but the large sums given by the King at elections are fully proved. In one of his letters before a Middlesex election in 1779 he writes, 'If the Duke of Northumberland requires some gold pills for the election it would be wrong not to give him some assistance.'[2]

The conviction that it was essential to the security of the empire to abandon the conquest of America, and to concentrate all the forces of England upon her foreign war, was growing both in the ministry, the Parliament, and the country. Lord North had clearly avowed it. Barrington, the Minister of War, at length, after persistent efforts, was allowed to resign, and was succeeded by Jenkinson, the former private secretary of Bute, who could always be trusted to act as a mere clerk fulfilling the directions of the King. Lord Suffolk, the Secretary of State for the Northern department, had for some time wished to resign, but suffered himself to be over-persuaded. He died in office in March 1779, and was succeeded by Lord Hillsborough, 'whose American sentiments,' said the King, 'make him acceptable to me.'[3] Sandwich, who still presided over the navy, was bitterly unpopular, both in the profession and in the country, and fierce attacks were made against him on the ground of his mismanagement of the navy, and of his injustice to Keppel. Wedderburn, the Attorney-General, was restless and dubious, and was anxious to oblige the Chief Justice of Common Pleas to retire in order that he might obtain his place, but the King, who fully understood his character, quieted him by a promise of a peerage in addition to the first great office that fell vacant, if he continued to serve till then.[4] It was noticed that many of the country gentry, who had hitherto supported the ministry, abstained from voting, and when at last Spain declared war, the feeling that America must now be abandoned, and the English army recalled, rapidly spread. That event, wrote Fitzpatrick to Lord Ossory, 'produced

[1] *Correspondence of George III. with Lord North*, ii. p. 200.
[2] Ibid. p. 286. See too pp. 422–427.
[3] Ibid. p. 244.
[4] Ibid. pp. 245, 250, 251.

nothing but a very general consternation, and a most universal acknowledgment of the necessity of changing the ministry.' 'All people see the necessity of withdrawing the troops from America.'[1]

The conduct of Spain had for some time been marked by an indecision which was the natural consequence of strong conflicting impulses. The close alliance of the two branches of the House of Bourbon, the desire of breaking down the naval ascendency of England, the irritation against England which was produced by the last war, by the disputes about the Manilla ransom and the Falkland Islands, and by some minor discussions relating to illicit commerce and territorial encroachments, and still more the prospect of regaining Gibraltar, Jamaica, and the Floridas, drew the Spaniards strongly towards war. On the other hand, there were no real or plausible grounds for declaring it, and there was not a little to be feared. Spain was an intensely monarchical country, and she had no wish to encourage republican ideas. She was the chief supporter of the system of commercial monopoly, to which the triumph of America was likely to give the deathblow, and being herself the possessor of vast colonial dominions in South America, she had every reason to dread the precedent of a successful colonial revolt. As early as December 1776, when Spain was engaged in a brief war with Portugal, the Americans asked for her alliance, and promised to assist in obtaining for her Pensacola, provided the United States had a free use of the harbour and a right of navigating on the Mississippi, and also to declare war against Portugal if that power had, as was alleged, either refused to admit American vessels into her ports or had confiscated any of them. Congress also promised to assist France and Spain in conquering the English Sugar isles;[2] but these overtures were not warmly responded to. Some secret assistance was given through hatred of England, but Charles III. and his minister, Florida Blanca, were both averse to war; the minister at least cordially detested and dreaded the independence of America, and it was entirely contrary to the wishes and counsels of Spain that France entered into alliance with the revolted colonies. From this time, however, and

[1] *Correspondence of Fox*, i. 227, 228.
[2] American *Diplomatic Correspondence*, iii. 11.

especially from the moment when it appeared that France was nearly balancing England on sea, the motives favourable to war became stronger. A proposal was made by Spain to mediate between England and France, and some long negotiations ensued, but they were probably only intended to gain time, while the preparations for war were being completed. In April 1779 a convention was signed between France and Spain, in which each power stated the advantages it wished to acquire for itself, and in which, among other articles, it was stipulated that no peace should be concluded till Gibraltar was restored to Spain; and in June Spain declared war against England.[1]

Her later proceedings had been conducted with great secresy or dissimulation, and the declaration of war appears to have been at that time wholly unexpected by the English ministers. Gibraltar was at once blockaded and besieged, and another powerful fleet was on the sea to act against England. The announcement of the declaration of Spain arrived shortly before the close of the Parliamentary session, and a patriotic address was unanimously carried in the House of Commons pledging Parliament to give full assistance to the King in his struggle against the Americans. In the Upper House it met with some opposition, and in both Houses much time was expended in furious party recriminations, in attacks upon the ministry in general, and on Lord North in particular, which might well have been postponed till the crisis of an extreme national danger had passed; attacks which were especially brutal, because at that very time one of Lord North's sons was lying dead in his house.[2] A Bill was introduced for doubling the militia and authorising the enrolment of volunteer corps, but the former part of it was thrown out in the Lords. By another measure—which the extreme exigency of the situation alone could justify—the protections of those

[1] This history is told very fully in Bancroft, and the original correspondence relating to it will be found in Circourt's translation, tom. iii. In October 1778 the King had written to North, 'I have no doubt next spring Spain will join France;' but at the end of the following March his opinion was changed, and he wrote, 'I now begin to credit the supposition that the Court of Spain will not take part in the war.'—*Correspondence of George III. with Lord North*, ii. 209, 243.

[2] See the touching scene in *Parl. Hist.* xx. 926, 927

seamen who had previously been exempted from seizure by the press-gangs were suspended for five months. The measure had a retrospective effect, and it was introduced by Wedderburn late at night, and pushed through with extraordinary rapidity, in order that it might come into operation before those against whom it was directed could take measures to escape. The prevailing distrust of the Government in this moment of supreme danger, was clearly shown by the abstention of many of its habitual supporters, and it was probably fortunate for it that the session was near its close. The King, however, was as determined as ever. He peremptorily forbade any postponement of the prorogation. He assured Lord North, who again more than once tendered his resignation, that such a step 'would be highly unbecoming at this hour,' and that by such 'a desertion' he would lose all the merit of his former conduct. He categorically stated, in the passage I have already cited, that he would admit no one to office who did not pledge himself in writing not to suffer the English troops to be withdrawn from America, and not under any circumstances to acknowledge her independence, and he expressed his firm belief that America would yet sue for pardon from the mother country.[1]

In the beginning of 1779, a French squadron had without difficulty taken the whole of the British forts, factories, and settlements along the river Gambia, at Senegal, and on other parts of the African coast, and had transported the artillery and garrison from their own island of Goree to Senegal, to strengthen it against attack. Goree was soon after seized by the English, but they made at this time no attempt to recover their own African settlements. In May, a French expedition was fitted out against Jersey, but it was driven back by the 78th regiment and by the militia of the island, and shortly after Sir James Wallace, with great gallantry, burnt, in a bay upon the coast of Normandy, several vessels which were assembled for a renewed attack. The main French fleet, however, consisting of about twenty-eight ships of the line, succeeded on June 4 in leaving Brest Harbour without molestation; and, having twenty days later joined the Spanish fleet off Cape Finisterre,

[1] *Correspondence of George III. with Lord North*, ii. 255–258, 261–264, 267.

the combined fleet, amounting to at least sixty ships of the line, with a proportionate number of frigates, entered the English Channel in August, and for a time found nothing that could oppose it.[1] For the first time since 1690, England saw a vast hostile fleet commanding her seas, and threatening and insulting her coasts. Sir Charles Hardy had been appointed on the resignation of Keppel to the command of the English fleet, but, in spite of the utmost exertions, it amounted only to thirty-eight ships of the line, with a number of frigates. For several weeks the French and Spanish fleets cruised about the English coast, lying especially in front of Plymouth, and there were almost hourly fears that a landing would be effected. The militia were embodied. Swift cruisers traversed the sea in every direction watching the movements of the enemy. Volunteer forces were hastily raised, and a proclamation was issued, ordering the cattle and draught horses to be driven from those parts of the coast on which a landing was effected. It was known that France had for some time been collecting troops at Havre and St. Malo for an invasion. The defences of Plymouth were wretchedly insufficient, and although Hardy endeavoured to draw the French into a narrow part of the Channel, in which he might encounter them at less disadvantage, he was not able to effect his purpose.

The danger appeared extreme. The humiliation was intolerable, and the letters of the most serious members of the Opposition show that, in their opinion, the country had been conducted to the very brink of ruin.[2] Fortunately, however,

[1] American *Diplomatic Correspondence*, ii. 255, 256.

[2] See the touching letter of Burke to Champion (Burke's *Correspondence*, ii. 286, 290); and the letter of Rockingham to Keppel a little later (Albemarle's *Life of Rockingham*, ii. 384, 390). A letter of Fox to Fitzpatrick, written immediately after inspecting the English fleet, is in a different tone, and seems to me to show clearly (like some of his letters during the war of the French Revolution) how deeply his patriotic feeling was affected by party spirit. 'The fleet today was a most magnificent sight; . . . . faith, when one looks at it and thinks there is a possibility of its coming to action in a day or two: *on se sent ému beaucoup*. If some things were otherwise at home, and the fleet was commanded by Keppel, one should feel very eager indeed, when even in the present damned state of things, who cannot help feeling something at the sight of it?'—*Fox's Correspondence*, i. 234. The Duke of Richmond, who was Lord Lieutenant of Sussex, informed a meeting of the magistrates of that county that he disapproved of the proclamation about driving away the cattle in the event of an invasion, and that he would do nothing to carry it out.—*Correspondence of George III. with Lord North* ii. 276, 279.

the hostile fleet was feebly commanded, and very imperfectly equipped. Sickness raged violently in its crews, and early in September, as the season of the equinoctial gales was rapidly approaching, it retired to Brest, where it remained inactive for several months. A great panic and humiliation, and the capture of a single ship of war of sixty-four guns, were the sole fruits of the expedition.

With thirteen colonies in revolt, with France and Spain leagued against her, with Holland already showing signs of hostility, and without a single ally in the world, the position of England seemed nearly desperate. But, although she had for a time lost the empire of the sea, and was outnumbered and overpowered even in her own Channel, yet the admirable seamanship of her sailors was still conspicuous. Great numbers of valuable French and Spanish merchantmen were in different parts of the globe captured by English cruisers, while the English traders singularly escaped. Just before the combined fleets entered the Channel, a fleet of merchantmen from the West Indies, consisting of one hundred and twenty-five sail, and valued at no less than four millions, arrived in safety; and almost immediately after the hostile fleet had left the English coast, another fleet from the East Indies was equally successful.[1] A far more enterprising seaman than those who guided the French and Spanish fleets was, however, at this time hovering around the British coasts. Paul Jones, the most daring and successful of the American corsairs, was by birth a Scotchman. He had been on sea since his twelfth year, had been for some time engaged in the slave trade, and had settled down in Virginia in 1773. He was the first man to raise the flag of independence on the Delaware, and in 1777 he had a roving commission in a ship called the 'Ranger.' In 1778 he made a descent upon Whitehaven, in Scotland, set fire to the shipping, took two forts, spiked thirty pieces of cannon, and plundered the house of Lord Selkirk, near Kirkcudbright. In 1779 he was placed at the head of a small squadron which had been fitted up at Port L'Orient, and which consisted of three ships carrying respectively 40, 36, and 32 guns, with two smaller vessels. In the beginning of August

[1] Stedman, ii. 163. *Correspondence of George III. with Lord North*, ii. 275.

he was hanging around the coast of Kerry, and making frequent descents,[1] and in the following month he appeared near the mouth of the Humber. Soon after, he succeeded in intercepting a large fleet of merchantmen from the Baltic, which was convoyed by the 'Serapis,' a ship of 44 guns, under Captain Pierson, and the 'Countess of Scarborough,' commanded by Captain Piercy, a ship of 20 guns. A desperate fight ensued, which lasted for between two and three hours. For some time the hostile ships lay so close together that the muzzles of their guns touched. The ships on both sides were almost torn to pieces, and much more than half of their crews killed or wounded. At length, the English ships of war, being almost sinking, were obliged to surrender, but the merchant fleet they had convoyed escaped safely to shore.[2]

Including the German troops in her pay, England was said in this year to have had no less than 314,000 men in arms. Ireland, however, had been left almost defenceless, and was in a condition of extreme peril. The Presbyterians of the North openly sympathised with the Americans. The Catholics of the other provinces, though they remained perfectly passive, were very naturally suspected of sympathising much with the French and more with the Spaniards. Thousands of Irishmen were in the French and Spanish armies, and there were serious reasons to believe that Vergennes was planning a descent upon the Irish coast, while the distress produced by war, added to the commercial restrictions imposed by the English Parliament, had reduced the country to virtual bankruptcy. Under these circumstances the Irish Protestants, finding the English Government totally unable to protect them either from foreign invasion or from internal anarchy, resolved to defend themselves, and in 1778 a great volunteer army was created with the sanction of the Lord Lieutenant. During four years of extreme peril it maintained the country in perfect peace, and made it so strong that no invasion was attempted; but at the same time, while proclaiming and proving its full loyalty to the connection, it exacted an entire removal of the restrictions that bound Irish

[1] This is mentioned in a letter from Lord Buckingham.—*MS. Record Office.*

[2] See the *Life of Paul Jones*, by J. H. Sherburne. Stedman, ii. 163–165.

trade, and a complete recognition of the legislative independence of the Irish Parliament. This memorable page of Irish history must be deferred to a separate chapter. At present it will be sufficient to say that the government of Ireland had passed almost wholly out of the control of the Ministers in London.

I have already mentioned the loss of St. Vincent's and Grenada, which had made the year 1779 so disastrous to England in the West Indies; but Count d'Estaing, soon after the capture of these islands, sailed, on the approach of the hurricane season, to Hispaniola. In America, and especially in the Northern provinces, the war was very languid. On the side of the Americans, financial ruin was rapidly advancing. In this single year more than 140 millions of paper dollars were thrown into circulation.[1] The depreciation was soon at least 20 to 1, and voices were already heard proposing to correct the evil with the sponge.[2] The old difficulty of procuring recruits was now greatly aggravated, and late in the spring of 1779 the whole Continental army, exclusive of a few troops in the Southern provinces, amounted to only 16,000 men.[3] Officers found it impossible to live on their pay. An additional bounty of 200 dollars was offered by Congress to all who would serve in the Continental army for the whole duration of the war; but it was paid in depreciated paper, and it was far exceeded by the bounties offered by the separate states, often for short periods of service. The interest of the war had in a great measure gone down since the European alliances, and in this, as in former periods, the letters of Washington are full of those complaints of popular indifference and selfishness which make the

[1] Bolles, 88.

[2] Washington's *Works*, vi. 331–332. Washington himself experienced in this year the dishonesty of debtors paying off old debts in paper.—Washington's *Works*, vi. 321–322.

[3] Hildreth, iii. 274–2. Washington's *Works*, vi. 196, 198. Virginia offered a bounty of no less than 750 dollars, besides some land, to any soldier who would enlist for the war. In a letter on July 29, Washington says:—'Excepting about 400 recruits from the State of Massachusetts Bay (a portion of whom, I am told, are children hired at about 1,500 dollars each for nine months' service), I have had no reinforcement to this army since last campaign.'—Ibid. p. 312. In November 1779, he says: 'our whole force, including all sorts of troops . . . . supposing every man to have existed and to have been in service at that time [in October]—a point, however, totally inadmissible—amounted to 27,098.'—Ibid. p. 402.

history of the American Revolution so monotonous and so depressing.[1]

The English were for the most part concentrated at New York, and they had begun to fortify its approaches. The population of that town appear to have been in general thoroughly loyal, and, letters of marque having been issued, more than 150 prizes were in less than six months brought by loyalist privateers into New York harbour.[2] The garrison in Rhode Island was in the course of this year withdrawn, and the few inconsiderable isolated expeditions which were made with various success in the Northern provinces need not be related in detail. Two expeditions, however, must be specially noticed, for they proved that the threats of the Commissioners that the war would be carried on by the English in a harsher spirit were by no means idle. Governor Tryon strongly represented to the English Government that 'vigorous and hostile depredations' by small detachments sent from the army at New York would soon make America 'call aloud for the settlement offered by the King's Commissioners,'[3] and in May 1779 an expedition, commanded by Sir George Collier and General Matthew, made a descent upon Virginia, burned or captured more than 130 vessels, destroyed nearly all the magazines, storehouses, and dockyards over a large area, burnt every house in the little town of Suffolk except a church and one private dwelling-house, reduced many country-houses to ruin, and carried off or destroyed great quantities of tobacco and of provisions. About six weeks later a second expedition, in which 2,600 land troops were employed, under the personal command of Governor Tryon, descended upon Connecticut. The little town

[1] Thus on May 8, 1779, he writes:—'The rapid decay of our currency, the extinction of public spirit, the increasing rapacity of the times, the want of harmony in our councils, the declining zeal of the people, the discontents and distresses of the officers of the army, and I may add the prevailing security and insensibility to danger, are symptoms in my eye of a most alarming nature. If the enemy have it in their power to press us hard this campaign, I know not what may be the consequence. Our army, as it now stands, is but little more than the skeleton of an army. I hear of no steps that are taking to give it strength and substance.'—Ibid. p. 251. In a letter written ten days later to a friend he says:—'I have no scruple in declaring to you that I have never yet seen the time in which our affairs in my opinion were at so low an ebb as at the present.'—Ibid. p. 252.

[2] *Documents relating to the Colonial History of New York*, viii. 754, 757, 759.

[3] Ibid. 750.

of New Haven was given up to almost indiscriminate plunder. Fairfield, East Haven, and the flourishing town of Norwalk, were set fire to and wholly or partially destroyed, and an immense amount of property of many kinds was plundered or burned. The conduct of the British was only slightly palliated by the allegation that the dockyards which were ruined had been largely employed in fitting out privateers against the English navy, and that the little towns which were burnt had fired upon English troops. Vast numbers of peaceable and inoffensive persons who did not make the shadow of resistance were ruined and outraged, and the expeditions of the English were probably much more efficacious in arousing indignation and in alienating loyalists than in intimidating the enemy.[1] It is worthy of notice that Baron Kalb, who had served through the whole of the seven years' war, and who was therefore not likely to feel any exaggerated sensitiveness about abuses of the rights of war, condemned in the most emphatic manner these proceedings of the English.[2]

An American expedition under General Sullivan was, in the summer of 1779, directed with terrible effect against the Six nations—the Indian tribes who inhabited the vast and fertile country between New England, the Middle States, and Canada. They had, with few exceptions, been steadily on the side of England, and they had committed some ravages and some very horrible murders. The Americans now, with scarcely any loss, reduced their whole country to a desert. The Indians had of late years made considerable steps in the path of prosperity and civilisation, and the invaders were surprised to find little towns of large and commodious houses, well cultivated corn-fields and gardens, extensive orchards, and all the signs of a happy and flourishing people. In a few days little remained but charred and blackened ruins. Orchards which had been planted many years before, were deliberately cut down. The crops now rapidly approaching harvest were burnt to the stalk. Every human habitation was destroyed, and the whole people were driven in headlong flight to Niagara, more than one

[1] Ramsay. Stedman, ii. 136–139, 142–144. Washington's *Letters*, vi. 292–293. See, too, p. 208.

[2] See the passages quoted in Greene's *German Element in the American War of Independence*, pp. 151–152.

hundred miles from their former homes. A similar war, carried on with similar ferocity by Colonel Brodhead, devastated the Indian country on the Alleghany, French Creek, and other waters of the Ohio above Fort Pitt, and famine, fire, and the sword almost extirpated, over great districts, the last descendants of the ancient rulers of the land.[1]

The most important English expeditions of this year were in the southern provinces. The brilliant successes of last year in Georgia, and the revelation of the loyalist feelings of its people, encouraged the English to make the conquest of the southern colonies, and especially of the Carolinas, a main object of their policy, and the extreme alarm of Washington[2] is a strong indication that the policy was a wise one. In the Carolinas there were large numbers of Germans, Dutch, and Quakers who took but little interest in the war, and the remaining population was very heterogeneous and divided. The reins of power in this, as in the other provinces, had fallen into the hands of the Revolutionary classes; but England had many friends among the rich and in the trading classes, and there was a large Scotch settlement which was enthusiastically loyal.

The Irish Presbyterians, on the other hand, appear to have been everywhere bitterly anti-English, and outside New England it is probable that they did more of the real fighting of the Revolution than any other class. The backwoodsmen also, who looked upon the English as protectors or allies of the Indians, were vehement Whigs. The war in the southern colonies had always the aspect of a civil war, and it was peculiarly ferocious. In the spring of 1779, a party of loyalists having been defeated by the Americans in South Carolina, the prisoners were tried according to the New State law, which made their offence treason; seventy were condemned to death and five were actually executed. A loyalist captain who had been himself tarred and feathered and otherwise insulted retaliated by hanging Whig prisoners.[3] In April the English forces at Savannah, having obtained considerable reinforcements, took the field. They soon overran a great part of South

[1] Ramsay, ii. 145, 148. Washington's *Works*, vi. 349–350, 356, 384.
[2] Ibid. p. 248.
[3] Ramsay, ii. 114. Hildreth, iii. 277–278.

Carolina, gained several successes over the militia that were opposed to them, arrived before the lines of Charleston, and appeared so formidable that the Americans proposed the neutrality of the State till the conclusion of the peace determined to whom it should belong. The British rejected the offer; but they were as yet too weak to attack Charleston, and they retired with much booty into Georgia. In September Count d'Estaing, with a French fleet of twenty sail of the line and eleven frigates, appeared unexpectedly off the coast of Georgia, and Savannah was besieged by a very powerful force, comprising more than 3,500 French soldiers, with many cannon, as well as a large number of Americans. The defence was brave, skilful, and completely successful. After a siege of rather more than three weeks, and after a general assault in which the French were driven back with a loss of more than 1,000 men, and in which the gallant Pulaski fell mortally wounded, the siege was abandoned, and the French, having re-embarked their troops and artillery, sailed for the West Indies. In the garrison which so nobly defended Savannah there were at least 1,000 American loyalists. Clinton resolved to make the reduction of the southern colonies the main task of the forthcoming year, and a few days before the close of 1779 he embarked himself for the southern expedition with 7,000 men, 2,000 of whom were American loyalists. General Kniphausen, with a strong garrison of English, German, and American loyalist troops, was left at New York.[1]

To conclude our account of the military operations of 1779, it is only necessary to add that Spain, in addition to her naval demonstration in the English Channel, had at once taken measures to attain several of the objects for which she had entered into the war. The siege of Gibraltar was actively pursued. A Spanish force from the Spanish colony of Louisiana crossed the Mississippi, and, without difficulty, took possession of the almost uninhabited province of West Florida, and the governor of Honduras attacked and expelled the English woodmen, whose right to cut log-wood in that bay had been a very old Spanish grievance, and had been finally established by the

[1] Hildreth, iii. 295. Stedman, ii. 124–132.

Treaty of Paris. The English governor of Jamaica, however, had anticipated the probability of this proceeding, and an English expedition speedily attacked and took by storm the powerful fortress of Omoa, which is the key of Honduras Bay. The English were shortly after obliged to dismantle and to abandon it; but the Spanish ships which had taken shelter under its guns, and which were captured when it fell, were valued at not less than three millions of dollars.[1]

In the year 1780, the southern campaign in America was vigorously pushed on. General Clinton only landed with his forces from New York in the neighbourhood of Charleston on March 29, after a stormy and disastrous voyage, which must have brought vividly before many minds the enormous natural difficulties of subduing a country that it took so much time even to traverse. The Americans had ample notice of the intention of the English to attack Charleston; they had carefully fortified the great southern capital, and they summoned, under penalty of confiscation, all the militia of the province and all the male inhabitants to the defence. It is, however, a remarkable sign of the languor or disaffection of the southern provinces that, although Washington had detached from his own army some North Carolina and Virginian troops for the defence of Charleston,[2] it was only possible to collect somewhat less than 3,000 men, exclusive of the town population, but including the militia of the province.[3] The defence was entrusted to General Lincoln, and it did great honour to the skill, courage, and tenacity of the garrison. Charleston was the first town the Americans had attempted to defend, and it was besieged by a force, drawn from various quarters, which amounted to not less than 9,000 men. At last, on May 12, it was obliged to capitulate. More than 5,000 men, including the garrison and all adult males, surrendered as prisoners of war. Eight small ships of war, which lay in the harbour, were taken or sunk, and 400 cannon as well as large magazines were captured. The English during the whole

[1] Stedman, ii. 166–174.

[2] Washington's *Works*, vi. 487.

[3] Ramsay, ii. 155. There were probably about 3,000 other adult males in the town, and they helped in the defence (p. 156). See, too, Bancroft. Stedman, the English historian, who was present in the war in South Carolina (ii. p. 224), says that 'General Lincoln at Charleston had 7,000 men of all denominations under arms' (ii. 179). Hildreth says the forces of Lin-

siege lost little more than 250 men.[1] In the beginning of June, Clinton returned with a large part of his troops to New York, leaving a detachment of 4,000 men under Lord Cornwallis to prosecute the war in the South. 'The inhabitants from every quarter,' wrote Clinton just before leaving South Carolina, 'declare their allegiance to the King and offer their services in arms. There are few men in South Carolina who are not either our prisoners or in arms with us.'[2]

'We look on America as at our feet,' wrote Horace Walpole to Mann, when the news of the reduction of Charleston arrived.[3] With Savannah and Charleston in the hands of the English, the old dominion might indeed be regarded as re-established in a great portion of the Southern colonies. A few American troops who had appeared in the northern extremity of South Carolina hastily retreated, and one detachment of about 300 men, being overtaken, was almost cut to pieces, very little quarter being given. Except in the line where the State bordered on North Carolina, all resistance had ceased, and the country was scarcely less peaceful than before the war had begun, while loyalist insurrections in North Carolina, prematurely and imprudently undertaken and savagely suppressed, showed how insecure was the hold of the Revolution in that province. In North Carolina, however, and especially along the border between that province and South Carolina, there were many determined Whigs, and some real efforts were made by the surrounding provinces to check the English. Clinton before leaving South Carolina invited the inhabitants to enrol themselves in the loyal militia, offered free pardon to all insurgents who had not been concerned in the execution of loyalists, promised various immunities to all who would actively support the Crown, and guaranteed the State a speedy restoration of its Constitution, and an exemption from all taxation except by its own legislature. He at the same time threatened to confiscate

coln were 'upwards of 7,000 men, including 2,300 Continentals, 1,000 North Carolina militia, and the militia of the city, amounting to near 4,000. All the aid sent in from the surrounding country did not amount to 200 men.'—*History of the United States*, iii. 306. According to the *Cornwallis Correspondence* (i. p. 44), 'Lincoln surrendered with about 6,000 men, 400 pieces of artillery, and large magazines.'

[1] *Cornwallis Correspondence*, i. p. 44.

[2] Bancroft, x. p. 308.

[3] Walpole to Mann, July 24, 1780.

the goods of all who again took arms against the King, and, by a later and a very injudicious proclamation, he discharged the paroles of all suspected persons who had not been actually taken in arms, restored them to the rights and duties of citizens, but at the same time commanded them to return to their allegiance on pain of being treated as rebels.

This proclamation, by making neutrality impossible, excited a great and reasonable discontent, which began to assume a graver form when the intelligence arrived that Baron de Kalb, at the head of about 2,000 men detached from the army of Washington, was marching rapidly through North Carolina. Kalb was soon joined by large bodies of militia, and the whole force was placed under the command of Gates, the victor of Saratoga. It appears to have consisted altogether of about 6,000 men, and on August 16 a very severe battle was fought near Camden. Cornwallis, who commanded the English, had some superiority in position, and a great superiority in cavalry, but the Americans were altogether nearly three times as numerous as the English.[1] A large portion of their militia, however, gave way at the first shock, and the English gained one of the most decisive victories of the whole war. The Americans lost all their cannon and the greater part of their baggage; Kalb fell mortally wounded; and the defeated army, with a loss of many hundreds of men, was pursued in wild confusion for more than twenty miles from the field of battle. Another American corps, numbering about 700 men, under General Sumpter, was in South Carolina, and it at once determined to retreat; but Colonel Tarleton succeeded, with a much smaller force, and by a march of extraordinary rapidity, in intercepting and surprising it. The American commander escaped with difficulty; more than 450 of the provincials were either killed or taken. They lost all their cannon, baggage, and ammunition; 1,000 stand of arms were taken, and the whole force was completely scattered. By these two victories the American army in the southernmost provinces was annihilated or dispersed.[2]

It was hoped that the immediate reduction of North Caro-

[1] *Cornwallis Correspondence*, i. 492–495.

[2] Ibid. i. Compare the accounts in Stedman, Ramsay, and Bancroft.

lina would follow, but the expectation was not realised. Cornwallis found it necessary to wait some time for the arrival of fresh stores from Charleston, and in the meantime the Americans, whose daring and fertility of resource were never more conspicuously displayed than at times when all appeared lost, soon recovered their panic. In a few weeks several parties—capable, however, only of waging a guerilla warfare—were in arms in North Carolina, while in South Carolina disaffection was spreading. Opinion in the provinces was, in reality, much divided, and although it is probable that in South Carolina, at least, there were many more who sympathised with England than with the Revolution, the prevailing desire of the inhabitants was to remain neutral and to do nothing that could provoke the resentment of either of the contending parties. This neutrality had become difficult or impossible. Cornwallis endeavoured to form his militia exclusively out of loyal inhabitants, but there were many deserters, and one whole corps which had been entrusted with the protection of some sick soldiers, went over to the enemy, giving up their officers and the sick soldiers as prisoners. Cornwallis issued orders that all who, having taken protections from the English, had subsequently joined in the revolt, should be punished with the greatest rigour, and their whole property taken or destroyed, and that every militiaman who had voluntarily borne arms for the English, and had afterwards deserted to the enemy, should be hanged.[1] Several such men were executed after the defeats of Gates and Sumpter. Imitating the policy which the revolutionary party had steadily pursued, he confiscated for the public service the estates of all who had left the province to join the enemies of Great Britain, who held commissions under the authority of Congress, or who were opposing the re-establishment of the royal Government, with the reservation of an allowance for their wives and children. A large section of Charleston society was strongly in favour of the Revolution, and, having discovered that several of its members when on parole had been in correspondence with the enemy, Cornwallis sent about forty of them as prisoners to St. Augustine, in East Florida. After a short imprisonment

[1] *Cornwallis Correspondence*, i. 56–58.

they were released upon parole, but their banishment excited great resentment, and Charleston society showed itself extremely hostile to the British. Ladies refused to attend public assemblies lest they should encounter English officers, and female influence was busily employed in fomenting revolt.

These things might not have been very serious if the projected invasion of North Carolina had succeeded. In September the English entered that province in three bodies, but, though there were some Scotch settlements favourable to them, the general spirit of the people proved exceedingly hostile. English messengers were waylaid, English foraging parties were cut off, and straggling soldiers were shot down by men concealed in the forests. Wild backwoodsmen from Kentucky and other settlements westward of the Alleghany Mountains, had been collected, and, being joined by companies of militia and by the relics of the shattered armies of Gates and Sumpter, they gradually became a formidable force. They did not venture to attack the main body of the English; but on October 9 they fell upon the most advanced detachment, which was commanded by Major Ferguson, and consisted almost exclusively of loyal militia, and after a hard fight they totally defeated it. The commander was killed. Nearly all who did not share his fate were compelled to surrender, and ten of the most obnoxious loyalist prisoners were hanged upon the field. The blow was so formidable that on October 14 Cornwallis ordered a retreat. On November 20 the third detachment of the English, which was commanded by Colonel Tarleton, was attacked at Blackstock Hill by General Sumpter at the head of a very superior force, and was defeated, though without serious loss. Before the close of the year North Carolina had been wholly evacuated, and the only fruits as yet attained by the Southern campaign were the complete conquest of Georgia and of South Carolina.

In the Northern provinces during many months little of any importance had happened. Both the British army at New York and the army of Washington at West Point had been much weakened by the detachments which they sent to the South, and neither was strong enough for a serious enterprise. The winter was one of the coldest ever known in America. The

troops of Washington suffered much more from it than the English who had the shelter of a great town; but, on the other hand, the water around New York was during several weeks so hard frozen that artillery could have passed over it.[1] The ships of war were rendered useless by the ice, and New York, in losing its insular position, lost its chief advantages for defence. Had there been a French army in North America, the town would probably have been captured, and the war might have been speedily terminated.

The condition of the Americans, however, was at this time as wretched as during any part of the contest. All provisions brought to New York were paid for in hard money; those which were brought to West Point in enormously depreciated currency. The devastations of the previous year had destroyed some of the chief sources of supply, and, although forced requisitions of food were systematically made over a wide area, the extreme severity of the weather and the passive resistance of the farmers made it very difficult to bring the supplies to camp.[2] The letters of Washington greatly resemble those of the winter at Valley Forge. 'The present situation of the army,' he wrote on January 8, 1780, 'with respect to provisions is the most distressing of any we have experienced since the beginning of the war. For a fortnight past the troops, both officers and men, have been almost perishing for want. They have been alternately without bread or meat the whole time, with a very scanty allowance of either, and frequently destitute of both.'[3] He described his troops as 'men half starved, imperfectly clothed, riotous, and robbing the country people of their subsistence from sheer necessity.'[4] 'There never,' he wrote about two months later, 'has been a stage of the war in which the dissatisfaction has been so general and alarming. It has lately in particular instances worn features of a very dangerous complexion.' As the springtime advanced there was no improvement. 'We are constantly on the point of starving,' he wrote at the end of April, 'for want of provisions and forage.' A month later he wrote to Reed, the President of Pennsylvania,

[1] *Documents relating to the Colonial History of New York*, viii. 781–782.

[2] Washington's *Works*, vi. 432–433, 440, 482.

[3] Ibid. 439.

[4] Ibid. 439, 441.

'There is such a combination of circumstances to exhaust the patience of the soldiery that it begins at length to be worn out and we see in every line of the army the most serious features of mutiny and sedition. All our departments, all our operations are at a stand, and unless a system very different from that which has for a long time prevailed be immediately adopted throughout the States, our affairs must soon become desperate beyond the possibility of recovery. If you were on the spot, my dear sir . . . . you would be convinced that these expressions are not too strong, and that we have everything to dread. Indeed, I have almost ceased to hope. The country in general is in such a state of insensibility and indifference to its interests that I dare not flatter myself with any change for the better.'[1] It is true that the whole English garrison of New York and its dependencies which was the one stronghold of the English power in the Northern colonies, consisted, according to Washington's own estimate, during a long period of only 8,000 regular soldiers, about 4,000 loyalist refugees, and the militia raised from New York and its vicinity.[2] It is true that England was without an ally in the world, and that America had two of the greatest powers in Europe assisting her in the struggle, yet still in the fourth year of the war Washington gravely doubted whether there was sufficient power, sufficient patriotism, sufficient earnestness in the States to carry it to a successful issue. 'The combined fleets of France and Spain,' he wrote, 'last year were greatly superior to those of the enemy. Nevertheless, the enemy sustained no material damage, and at the close of the campaign gave a very important blow to our allies. This campaign the difference between the fleets will be inconsiderable. What are we to expect if there should be another campaign? In all probability the advantage will be on the side of the English, and then what would become of America? We ought not to deceive ourselves. The maritime resources of Great Britain are more substantial and real than those of France and Spain united. . . . . In modern wars the longest purse must chiefly determine the event. I fear that of the enemy will be found to be so.' What little unity there had ever been between the States seemed

[1] Washington's *Works*, vi. 13, 25, 58. [2] Ibid. 39.

rapidly breaking up. 'I see one head gradually changing into thirteen. I see one army branching into thirteen, which, instead of looking up to Congress as the supreme controlling power of the United States, are considering themselves as dependent on their respective States. In a word, I see the power of Congress declining too fast for consideration and respect.'[1]

It was necessary, in the opinion of Washington, that there should be at least 20,000 efficient Continental troops, but this very modest requirement was more than could be complied with.[2] Bounties which were nominally enormous, and which, even allowing for the depreciation of money were very great, were offered by some States, and the different conditions under which the troops of the same army were enlisted were the occasion of endless bitterness and recrimination.[3] It was, however, quite impossible to recruit the American army by voluntary means, and it was only by compulsory drafting from the local militias that the small force could be kept together.[4] For several months 100 deserters on an average appeared monthly at the British camp at New York, and the number doubled when the press for soldiers for the Continental army began.[5] From every side signs of discontent were gathering. The officers of the Jersey line addressed a memorial to their State Legislature stating 'that four months' pay of a private would not procure for his family a single bushel of wheat; that the pay of a colonel would not purchase oats for his horse; that a common labourer received four times as much as an American officer.'[6] Two regiments of Connecticut troops broke into open mutiny. Attempts were made to combine both officers and men in a refusal to accept the depreciated paper money, and even in this currency the soldiers were for long periods unpaid. A committee appointed by Congress to examine the state of the army of Washington in May 1780, reported that it had

[1] Washington's *Works*, vii. 59-60, 68.

[2] Ibid. 51-52.

[3] 'The Pennsylvania soldiers from the commencement were almost universally engaged for the war. When they saw the Eastern levies in the beginning of last campaign who had received enormous bounties, many, a thousand pounds and upwards for a few months, they began to compare situations, to murmur, and to dispute their engagements.'—Ibid. vi. 471. See vii. 166.

[4] See Galloway's *Examination*.

[5] *Documents relating to the Colonial History of New York*, viii. 800.

[6] Ramsay, ii. 184.

been unpaid for five months; that it seldom had more than six days' provision in advance; that it had frequently for several successive days been without meat; that the forage was exhausted; that the medical department had neither sugar, coffee, tea, chocolate, wine, nor spirituous liquors of any kind; 'that every department of the army was without money, and had not even the shadow of credit left; that the patience of the soldiers, borne down by the pressure of complicated sufferings, was on the point of being exhausted.'[1]

These representations must be borne in mind if we would judge with equity the party in England which still hoped to subdue America. The expectation was represented by the Opposition at the time, and it has been commonly represented by later historians, as little short of insane. That it was erroneous will now hardly be disputed, but it was certainly not altogether unreasonable. Reports of the most sanguine kind were constantly laid before the Ministers. In February 1780, before the capture of Charleston and subjugation of South Carolina, Governor Tryon wrote that 'the friendly part of America keep up their spirits and are sanguine .... that the reunion of the Empire will be yet happily established, and those who have been with circumstances of cruelty drove from their estates and families restored.'[2] Loyalists declared that 'the majority on the West side of the Connecticut are desirous of the restoration of the King's authority, and that in many towns and districts both in New York, Connecticut, and Massachusetts Bay they are nearly all so. They assured the Government that the number of the King's friends had been steadily increasing since the proposals of the Royal Commissioners; that the pressing calamities of the time were almost daily adding to them; that the forced requisitions of food and drafts of men were exciting bitter resistance; that farmers refused to raise more than was sufficient for their own consumption, conceiving that the improvement of their farms would only tend to feed and prolong the rebellion; that at least half the army were on the brink of desertion or revolt.[3] Lord

[1] Ramsay, ii. 188–189. See, too, Washington's *Works*, vii. 56, 165.

[2] *Documents relating to the Colonial History of New York*, viii. 781.

[3] Ibid. pp. 783, 787.

George Germaine stated that all the private letters from America were filled with representations of the general distress and sufferings of the people, the discontent of the rebel troops, and the universal wish for peace. From the middle colonies, he was assured, no recruits could be drawn, the militia would not submit to be drafted, and the only hope the Americans possessed of continuing the war depended on foreign aid.[1] The French admiral, De Ternay, wrote in the summer of 1780 to Vergennes:—'The fate of North America is yet very uncertain, and the Revolution is not so far advanced as it has been believed in Europe.'[2] Count Fersen, who in after years was known as one of the most devoted friends of Marie Antoinette, was quartered in Rhode Island in the autumn of 1780, as the aide-de-camp to Count Rochambeau, and he described all the classes in that New England province who possessed any property as, anxious to be reconciled to England, and the whole province, as sinking into ruin through the civil war of its inhabitants.[3] In the province of New York there was a large district, called West Chester County, extending nearly thirty miles from north to south, which was once thickly populated and admirably cultivated, and was now almost wholly at the mercy of the revolutionary banditti called the Cowboys, and the loyalist banditti called the Skinners, who were alternately plundering the few inhabitants who remained.[4]

[1] See this letter in a note to Washington's *Works*, vii. 30. Lord G. Germaine's intelligence about the middle colonies seems to have been substantially correct. In a letter written in July 1780, Washington, speaking of the new levies, says:—'Pennsylvania has given us not quite 400, and seems to think that she has done admirably well. Jersey has given us fifty or sixty. But I do not despair of Jersey.'—Ibid. 125.

[2] Ibid. 200.

[3] He says of Rhode Island:—'C'est un pays qui sera fort heureux s'il jouit d'une paix longue, et si les deux partis qui le divisent à present ne lui font subir le sort de la Pologne et de tant d'autres républiques. Ces deux partis sont appelés les Whigs et les Torys. Le premier est entièrement pour la liberté et l'indépendance; il est composé de gens de la plus basse extraction qui ne possèdent point de biens; la plupart des habitants de la campagne en sont. Les Torys sont pour les Anglais, ou pour mieux dire, pour la paix, sans trop se soucier d'être libres ou dépendants; ce sont les gens d'une classe plus distinguée, les seuls qui eussent des biens dans le pays. . . . Lorsque les Whigs sont les plus forts, ils pillent les autres tant qu'ils peuvent.'—*Lettres du Comte Fersen*, i. 40–41.

[4] Sparks's *Life of Benedict Arnold*, p. 219.

[illegible] of the town of New York was exceedingly [illegible] to the English. During the long course of its [illegible] trouble appears to have been experienced from its [illegible] the neighbouring seas swarmed with New York [illegible] preying on the commerce of the revolted States, and [illegible] the thawing of the waters exposed the town to invasion [illegible] to the loyalty of the inhabitants themselves that the [illegible] chiefly appealed. The appeal was at once and enthusiastically responded to, and Governor Robertson, who had succeeded Tryon in command, wrote that all the English troops might be safely led away from New York to encounter the enemy, for the town would be perfectly secure under the protection of 6,000 of its own armed citizens.[1] The historian of the American loyalists observes that in April 1775, out of the thirty seven newspapers then published in the colonies, seven or eight were in the interest of the Crown, and the remainder Whig, but that in the course of the war no less than five of the latter went over to the loyalists.[2]

It was indeed evident that the revolutionary movement depended almost entirely upon the assistance of France. Washington himself frankly admitted that it was impossible—at least under existing circumstances—to accomplish without it either of the two capital objects of the war—the capture of New York or the expulsion of the English from the Southern States.[3] Count Rochambeau, who was in constant communication with Washington, speaking of this period, states that the American general 'feared, and not without foundation, considering the absolute discredit of the finances of Congress, that the struggles of this campaign would be the last efforts of expiring patriotism,'[4] and Washington himself, in a letter written in August 1780, to the President of the Congress, expressed a very similar opinion. The period of service of half of the army, he said, would expire

[1] *Documents relating to the Colonial History of New York*, viii. 789, 792.

[2] Sabine's *American Loyalists*, i. 49. A curious passage in a letter of instructions from Vergennes to M. de la Luzerne (Sept. 25, 1779) makes it probable that the French subsidised some of the anti-English newspapers. He says:—'Sa Majesté vous autorise en outre à continuer les donatifs que M. Gérard a donnés ou promis à différents auteurs américains, et dont ce dernier vous aura sûrement remis la note.'—Circourt, iii. 283.

[3] Washington's *Works*, vii. 38–42, 106, 176, 187, 206.

[4] Ibid. 171.

at the end of the year. 'The shadow of an army that will remain will have every motive except mere patriotism to abandon the service, without the hope, which has hitherto supported them, of a change for the better. This is almost extinguished now, and certainly will not outlive the campaign unless it finds something more substantial to rest upon. . . . To me it will appear miraculous if our affairs can maintain themselves much longer in their present train. If either the temper or the resources of the country will not admit of an alteration, we may expect soon to be reduced to the humiliating condition of seeing the cause of America in America upheld by foreign arms.'[1] Looking, indeed, over the whole struggle, it seemed to Washington little less than a miracle that the American Revolution had not long since terminated, and one of the chief reasons of its continuance was the strange inactivity and folly which the English had shown during its earlier stages.[2]

No measures of any great military importance were taken in the Northern States before the arrival of a French fleet and army at Newport on July 10, 1780. The fleet consisted of seven ships of the line, besides frigates and transports commanded by the Chevalier de Ternay, and the army of about 6,000 men under the command of Count Rochambeau. The French Government at the same time sent out instructions, very generously placing their own troops under the command of Washington, and ordering that, when the French and American armies were united, American officers were to command French officers of equal rank.[3] The expedition was to be followed later in the year by a second division, but it was hoped that, with the assistance of the force already arrived, the Americans could accomplish their great object of recapturing New York. This expectation, however, was not verified, and the English, having received the assistance of six British ships of the line which had followed the French across the Atlantic, speedily took the offensive. Clinton embarked 6,000 men at New York and resolved to attack the French in Newport; but a

[1] Washington's *Works*, vii. 159, 160.

[2] See a very remarkable passage (unfortunately too long for quotation), reviewing the whole war.—Ibid. pp. 162, 163.

[3] Ibid. i. 336. Stedman, ii. 245.

delay in the arrival of transports, which gave the French time to fortify themselves, a difference of opinion between Clinton and Admiral Arbuthnot who commanded the fleet, and a threatening movement of Washington in the direction of New York, led to the abandonment of the enterprise. The English fleet, however, blockaded the French fleet, and the French army, together with some American militia, was kept inactive for its protection. Even for gunpowder the Americans were now dependent on French assistance, and Washington said that an additional supply of 100 tons was necessary if he was to make a serious attempt on New York.[1] It was determined to take no step till the second French expedition arrived, or at least till the French had obtained a naval ascendency on the coast. On August 16 a French frigate arrived at Boston with large supplies of guns, cannon, and powder for the Americans, but it also brought the disastrous news that the second division of Count Rochambeau's army, upon which such great hopes were based, was blockaded in the harbour of Brest by an English fleet of thirty-two sail.[2] It was evident that the old Queen of the Sea was fast regaining her ascendency, and that in spite of all the odds that were against her she could still be terrible to her enemies. After a careful consultation it was decided that the attempt to dislodge the English from New York must be indefinitely postponed. It was remembered, however, that the French had in old days been on very good terms with the Indians, and an earnest though unsuccessful effort was made to excite by French influence an Indian rising against the English.[3]

The extreme jealousy of the army which had always prevailed in Congress, and the meddling, domineering spirit in which the lawyers at Philadelphia constantly acted towards the officers, might have produced the worst consequences but for the courtesy and self-control with which Washington was so eminently endowed. In the highest ranks of the army there were constant and sudden changes. Schuyler, though one of the most estimable of the American generals, had been superseded. St. Clair experienced the same fate. Sullivan threw

[1] Washington's *Works*, vii. 135. [2] Ibid. p. 176. [3] Ibid. pp. 183, 184.

up his commission in disgust. Gates was superseded and brought before a court-martial after his defeat at Camden; and Greene, one of the favourite officers of Washington, resigned in indignation his office of Quartermaster-General on account of some measures of Congress altering the office, as he conceived, to his prejudice. Congress, in its irritation, gravely meditated depriving him of his commission, but relinquished the intention in consequence of an admirable letter of Washington, who urged the extremely bad effect that such a measure would have upon the army, and especially upon the officers, who were in truth sacrificing more than any other class of the American people for the national cause.[1]

I have already briefly noticed the dismissal of General Lee after the battle of Monmouth, for disobedience to the orders of Washington. It was a fortunate event for the Americans, for it is probable that Lee would have taken an early opportunity to betray them. He had shown, from the beginning of the contest, a laudable desire to appease the quarrel by personal negotiations with English generals; and he declared his conviction that in the first stages of the war the Americans would have been perfectly ready to submit in every respect to Great Britain, provided they might themselves raise in any way they thought proper, the sum Parliament required of them. He afterwards, as we have seen, expressed himself disgusted with the conduct of his soldiers, and wholly disappointed in the dispositions of the American people, and in March 1777, being then a prisoner in the English camp, he drew up for the English a plan for effecting the conquest of America. In this remarkable document, he expressed his firm belief that America must inevitably be subdued, and that it was therefore desirable both

[1] He says it needs 'no arguments to prove that there is no set of men in the United States, considered as a body, that have made the same sacrifices of their interests in support of the common cause as the officers of the American army; that nothing but a love of their country, of honour, and a desire of seeing their labours crowned with success could possibly induce them to continue one moment in service; that no officer can live upon his pay; that hundreds, having spent their little all in addition to their scanty public allowance, have resigned because they could no longer support themselves as officers; that numbers are at this moment rendered unfit for duty for want of clothing, while the rest are wasting their property, and some of them verging fast to the gulf of poverty and distress.'—Washington's *Works*, vii. 150, 151. See, too, a striking statement of the case of the officers in a letter of General Greene to Washington.—Ib. p. 53

for her and the mother-country that the war should be terminated with as little delay and bloodshed as possible. He urgently dwelt on the necessity of a wide amnesty, and moderate and liberal terms, and he then proceeded to point out certain points which ought to be taken possession of by the English in order to sever New England from the other colonies, and secure the immediate subjugation of the southern provinces. If this plan were adopted, and a proclamation of amnesty issued, and if no untoward accident, such as a rupture with a European power, occurred, he was convinced that in two months every spark of civil war would be extinguished in the colonies.[1]

The Americans, though they were well aware of the insubordinate and capricious character of Lee, appear to have had no suspicion whatever of his treason, but in September 1780 a terrible shock was given to the confidence of their army by the discovery of the treachery of Benedict Arnold.

To anyone who attentively follows the letters of Washington, it will appear evident that there was no officer in the American army of whom for a long period he wrote in terms of higher, warmer, and more frequent eulogy. Arnold was in truth an eminently brave and skilful soldier, and in the early stages of the struggle his services had been of the most distinguished kind. In conjunction with Colonel Allen, he had obtained the first great success of the war by capturing Ticonderoga and Crown Point in the summer of 1775. He had fallen wounded leading the forlorn hope against Quebec on the memorable day on which Montgomery was killed. In the gallant stand that was made at Ticonderoga in October 1776, he had been placed at the head of the American fleet, and his defence of Lake Champlain against overwhelming odds had been one of the most brilliant episodes of the whole American war. He took a leading part in the campaign which ended with the capitulation of Saratoga, led in person that fierce attack on the British lines on October 7, 1777, which made the position of Burgoyne a hopeless one, was himself one of the first men to enter the British lines, and fell severely wounded at the head of his

[1] See *The Treason of General Lee*, by George H. Moore (Librarian of the New York Historical Society).

troops. No American soldier had shown a more reckless courage. Hardly any had displayed greater military skill or possessed to a higher degree the confidence of the army; and if the wound which he received near Saratoga had proved fatal, the name of Benedict Arnold would have now ranked among the very foremost in the hagiology of American patriotism.

His early letters seem to show beyond question that he began his career as a genuine Whig, but he had probably always been of a type which is common and prominent in all revolutions. Conscious of unbounded energy and courage, of a strong will, and of very considerable military capacities, he saw in the troubles which had arisen an opportunity of carving his way from the position of bookseller, druggist, and smuggler in a small town in Connecticut, to great wealth and world-wide honour. He was a man of coarse fibre and violent ambition, delighting in adventure and combat, very extravagant in his tastes, and at the same time very arrogant, irritable, and insubordinate in his temper. A number of serious charges, some of them affecting his personal integrity, were brought against him relating to incidents in his Canadian career; but the only charges which were submitted to an official investigation were fully disproved, and the Board of War, in a report which was confirmed by Congress, pronounced Arnold to have been 'cruelly and groundlessly aspersed.' This appears to have been the opinion of Washington, who continued to give him his full confidence; it was the opinion of Schuyler, who commanded the army in Canada,[1] and John Adams afterwards expressed his belief that Arnold had been 'basely slandered and libelled.'[2] There were men, however, in Congress who greatly disliked him, and seemed to feel a peculiar pleasure in humiliating him; and in February 1777, when Congress appointed five major-generals, Arnold was not on the list, though every one of the officers appointed was his junior in standing. Washington was extremely displeased at this marked slight shown to one who, as he truly said, had 'always distinguished himself as a judicious, brave officer, of great

[1] See Arnold's *Life of Arnold*, p. 104.
[2] *Familiar Letters*, p. 276.

activity, enterprise, and perseverance.' The letters of Arnold show how keenly he felt the wrong, and he spoke seriously of throwing up his commission, but was dissuaded by Washington. A few months later he displayed the most splendid daring in a skirmish with the English near Danbury, and his horse fell pierced by no less than nine bullets. Congress then granted him the promotion that had been hitherto withheld, and presented him with a horse as a token of his conspicuous gallantry, but he never regained his seniority.

The wound which he had received near Saratoga was painful and disabling, and he for a long time could only move about with assistance. Being incapable of taking an active part in the war, Washington placed him in command at Philadelphia after that city had been evacuated by the English, and he there fell under new and powerful influences. His first wife had died in the summer of 1775, when he was in the midst of his northern campaign, and, in April 1779, after a long courtship, he married Miss Shippen, a young lady of great beauty and attraction, who belonged to one of the leading families in Philadelphia, and to a family of Tory sympathies. He loved her deeply and faithfully, and there is something inexpressibly touching in the tender affection and the undeviating admiration for her husband, which she retained through all the vicissitudes of his dark and troubled life.[1] He mixed much in the best society at Philadelphia, and although the more decided loyalists had been driven into exile, the social atmosphere was still very Tory, and many of the best and most respected citizens were secretly sighing for the overthrow of what they regarded as the Revolutionary tyranny, and for a return to the settled condition of the past. He kept open house, plunged into expenses far greater than he could meet, and, like many other American officers, entered into several enterprises which were not military. He speculated largely. He took part in various commercial undertakings. He had shares in privateering expeditions, but his speculations do not appear to have been successful, and he was sinking rapidly into debt. Party

[1] See her sad and touching letters, written chiefly from England, in Mr. Isaac Arnold's very interesting *Life of Benedict Arnold*.

spirit ran furiously at Philadelphia, and Arnold, who had nothing of the tact and self-control of Washington, soon made many enemies. A long series of charges against him were laid before Congress, some of them deeply affecting his honour, and amounting to little short of an imputation of swindling, while others were of the most trivial description. Congress referred the matter to a committee, which reported in favour of Arnold; but, in spite of this report, Congress insisted on sending Arnold, on some of the charges, before a court-martial. The proceedings were greatly delayed, and nearly a year passed between the promulgation of the charges and the final decision, and during all this time the commander of the chief town in the States, and one of the most distinguished generals in the American service, was kept in a condition of the most painful and humiliating suspense. He resented it fiercely, and was little mollified by the result of the court-martial. On all the graver charges he was acquitted, and he was condemned only on two counts of the most petty character. He had exceeded his powers in giving a passport to a vessel containing American property which was in Philadelphia while that town was occupied by the English, and he had, on one occasion, employed public waggons to convey some of his private property. This, the court-martial said, ought not to have been done, though Arnold 'had no design of employing the wagons otherwise than at his own private expense, nor of defrauding the public, nor of injuring or impeding the public service.' For these two offences he was condemned to the great humiliation of a formal and a public reprimand.

Washington, who was obliged to execute the sentence of the court-martial, did the utmost in his power to mitigate the blow, and nothing could be more skilful than the language[1]

[1] 'Our profession is the chastest of all. The shadow of a fault tarnishes our most brilliant actions. The least inadvertence may cause us to lose that public favour which is so hard to be gained. I reprimand you for having forgotten that in proportion as you had rendered yourself formidable to our enemies, you should have shown moderation towards our citizens. Exhibit again those splendid qualities which have placed you in the rank of our most distinguished generals. As far as it shall be in my power I will myself furnish you with opportunities for regaining the esteem which you have formerly enjoyed.'—Sparks's *Life of Arnold*, p. 145.

with which he made his reprimand the vehicle of a high eulogy on the services and the character of Arnold. While the sentence of the court-martial was in suspense, another stroke had fallen which affected both his fortune and his reputation. During his command in Canada, he had often acted as commissary and quartermaster. Much public money had passed through his hands, and he had large claims upon Congress. His accounts were examined at great length, and after great delay, by the Board of Treasury and by a committee of Congress; they were found to be in much confusion, which was possibly due to the hurry and turmoil of an active campaign, and a large part of the claims of Arnold were disallowed. How far the sentence was just, it is now impossible to say. The character of Arnold gives no presumption that he would have shown scrupulous integrity in money dealings; but, on the other hand, the Congress was full of his personal enemies, who were determined by any means to hunt him down, and he loudly and vehemently declared that his judges had been actuated by private resentment or undue influence, and that they were wholly unfit to give any impartial judgment on his case.[1] Ruin seemed now staring him in the face, and he even made an application, without success, for money to the representative of the French government.

It is easy to conceive the influence of these things upon a proud, violent, ambitious, and unprincipled man, conscious of having rendered great services to his country, and at this very time suffering under the irritation and the impotence arising from a severe wound. Early in 1779 he had sent some letters to Clinton under the name of Gustavus, in which, without revealing his name or his rank, and without making any positive overtures, he had expressed his dislike to the French alliance, and had from time to time sent to the British commander pieces of authentic intelligence. On the English side the correspondence was chiefly conducted under a false name by Major André, the Adjutant-General of the British army, a young officer of singular promise and popularity. After the sentence of the court-martial, Arnold appears at last to have fully determined to go over to the English, and he was

[1] See his petition in Washington's *Works*, vi. 529, 530.

equally determined not to go over as a mere insignificant and isolated individual. Ambition, cupidity, and revenge must all be gratified. At Saratoga he had done much to ruin the British cause. He would now undo, and more than undo, his work, annihilate by an act of skilful treachery the only considerable army in the north, restore America at once to peace and to the British rule, and make himself the Monk of the American Revolution.

Few great plots have more nearly succeeded. Though there had been murmurs about the leniency of Arnold to Tories and about the admission of Tories into his society, his fidelity to the American cause seems to have been quite unsuspected, and Washington especially looked upon him with the most perfect confidence. On the plea that his wound was not yet sufficiently cured, Arnold excused himself from serving actively with Washington in the field, but he asked for and easily obtained the command of Westpoint, which included all the American forts in the highlands, and was the essential key of the whole American position.[1] He arrived at Westpoint in the first week of August, and lost very little time in concerting with Clinton for a surrender of the post to the British.

Clinton has been absurdly blamed for listening to these overtures, but he only acted as any general of any nation would have acted, and he would have deserved the gravest censure if he had neglected such an opportunity of bringing to an end the desolation and the bloodshed of the war. It was necessary to send a confidential agent to arrange the details of the surrender and the terms of the bargain, and this task was committed to André. Arnold invited him to come within the American lines, but both Clinton and André himself positively declined the proposal, and Clinton was determined that nothing should be done that could bring André under the category of a spy. A British sloop called the 'Vulture,' with André on board, sailed up the Hudson River to within a few miles of the American camp; and Washington having just left the camp on a visit to the French commander at Hartford, a boat, with muffled oars, was sent

[1] It may be noticed that a great part of the works at Westpoint had been constructed under the direction of Kosciusko, the Polish hero, whose services in America were warmly eulogised by Washington.—Washington's *Works*, vii. 148.

by Arnold a little before midnight to the 'Vulture' to bring André to shore. The boatmen were wholly ignorant of the nature of their mission. They were furnished with a passport authorising them to pass freely with a flag of truce, but they were told that it was of public interest that the expedition should be secret. Arnold and André met at a lonely spot on the bank of the river. The meeting was on the night of September 21. André wore his uniform, covered by a blue great-coat, and the spot where the interview took place was outside the American lines, so that if they had been arrested there, André could not have been treated otherwise than as a prisoner of war. The nights, however, were still short, and the daylight having dawned before the affair was fully arranged, it became necessary either to leave it unfinished and risk the dangers of a second interview, or else to seek some place of concealment. Arnold then induced André to enter the American lines and take shelter in the house of a man named Smith, who was devoted to the American General, and who had already been employed to bring André to shore. He remained there during the day, and in the evening, all being arranged, André prepared to return.

In the meantime, however, the 'Vulture' had been noticed with suspicion by the American soldiers, and had been compelled to change her position in consequence of a cannon which was brought to bear on her. The risk of carrying André back by water was so great that Smith refused to incur it, and the only chance of safety was to return by land to New York, a distance of about thirty miles. To accomplish this object André exchanged his British uniform for a civilian's dress; he obtained from Arnold a pass enabling him under the name of John Anderson to traverse the American lines, and he concealed in his boots unsigned papers written by Arnold containing such full and detailed information as would enable Clinton without difficulty to seize the fortifications of West-point. On the evening of the 22nd he passed the American lines in safety under the guidance of Smith, and slept in a house beyond them, and the next day he set out alone to complete his journey. It is strange to think how largely the course of modern history depended upon that solitary traveller, for had

André reached New York, the plot would almost certainly have succeeded, and the American Revolution been crushed. He had not, however, proceeded far, when he was stopped by three young men who were playing cards near the road. They have been called militiamen, but appear, according to better accounts, to have been members of a party who were engaged in cattle-stealing for their own benefit. Had André produced at once his pass, he would probably have been allowed to proceed in safety, but in the confusion of the moment he believed that the men were British, and he proclaimed himself a British officer. Finding his mistake, he then produced his pass, but his captors at once proceeded to search him, and though they found little or no money, they discovered the papers in his boots, and although André promised that they would obtain a large reward if they released him, or took him to New York, they determined to carry him to the nearest American outpost.[1] Colonel Jamieson, who commanded there, recognised the handwriting of Arnold, but he did not realise the treachery of his chief, and he sent a letter to Arnold informing him that papers of a very compromising character had been found on a person just arrested who carried a pass signed by the General. The papers were sent on to Washington, who was now returning from Hartford.

Arnold was expecting the arrival of Washington, and his house was filled with company when the letter announcing the arrest of André arrived. For a moment he is said to have changed countenance, but he quickly recovered himself, rose from the table, and telling his guests that he had an immediate call to visit one of the forts at the opposite side of the river, he ordered a horse to be at once brought to the door. He called his wife upstairs and after a short interview left her in a fainting condition, mounted his horse, galloped at full speed down the steep descent to the river, and, springing into a barge, ordered the boatmen to row him to the middle of the stream. They obeyed his command, and he then told them to row swiftly to the 'Vulture.' He was going there, he said, with a flag of truce, and as he must be back in time to receive

[1] There is some controversy about the character of the captors of André and the incidents of his seizure. The reader will find an examination of the subject in an interesting note to Jones's *History of New York*, i. 730–736.

Washington there was not a moment to be lost. As he passed the American batteries he waved a white handkerchief as a sign of truce, and in a short time, and before any rumours of his treason were abroad, he stood on the deck under the British flag.

He wrote shortly after, more than one letter and address declaring that the motive of his conduct was a detestation of the French alliance, and that he only desired to restore America to peace and true liberty, and to fulfil what he knew to be the secret wish of a great majority of his countrymen. It is not surprising, however, that neither contemporaries nor posterity have attached the smallest weight to these declarations. That the position of an American loyalist was in itself a perfectly upright one will hardly indeed be questioned in England, and will, I should hope, be now admitted by all reasonable men beyond the Atlantic, and it is probably below the truth to say that a full half of the more honourable and respected Americans were either openly or secretly hostile to the revolution. There was also nothing strange or dishonourable in men who had zealously espoused the revolution in its earlier stages passing, after the legislation of 1778 and after the French alliance, into the opposite camp. Every grievance the Americans had put forward as a reason for taking up arms had been redressed; every claim they had resented had been abandoned, and from the time when the English Parliament surrendered all right of taxation and internal legislation in the colonies, and when the English Commissioners laid their propositions before the Americans, the character of the war had wholly changed. It was no longer a war for self-taxation and constitutional liberty. It was now an attempt, with the assistance of France and Spain, to establish independence by breaking up and ruining the British empire. It may also be readily admitted that it is probable that the early Whig convictions of Arnold had evaporated under the influence of the society in which he had lately been living. Expressions dropped by him were afterwards repeated, which seemed to imply that he regretted sincerely the continuance of the war and the connection with France, and an unsigned letter addressed to him, urging, in very powerful language, the importance on purely public grounds of putting a speedy end to

the war, was found among his papers. But, when all this is said, the conduct of a ruined and desperate soldier, who, having been placed by the full confidence of his superior in command of military posts of the first importance, bargains with the enemy to surrender them for money, will admit of no justification and very little palliation. Arnold escaped from his many creditors in America. He received from the British Government a sum of about 6,300*l.*, and he was appointed colonel of a British regiment with the brevet of brigadier-general; but he carried with him into his new service the brand not only of failure, but of indelible disgrace, and his feelings must have been doubly poignant when he learned that the gallant soldier whom he had led within the American lines had expiated his conduct on the gibbet.

The execution of Major André is, indeed, one of the saddest episodes of the American war, and in the judgment of many it left a deep stain on the reputation of Washington. The victim was well fitted to attract to himself a halo of romantic interest. Though only twenty-nine, he had already shown the promise of a brilliant military career. He was a skilful artist; and the singular charm of his conversation, and the singular beauty of his frank, generous, and amiable character, endeared him to all with whom he came in contact, and was acknowledged by no one more fully than by those American officers with whom he spent the last sad days of his life. Nothing could be more dignified, more courageous, more candid, and at the same time more free from everything like boasting or ostentation, than his conduct under the terrible trial that had fallen upon him, and it is even now impossible to read without emotion those last letters in which he commended to his country and his old commander the care of his widowed mother, and asked Washington to grant him a single favour—that he might die the death of a soldier and not of a spy. At the same time it is but justice to remember that he suffered under the unanimous sentence of a board consisting of fourteen general officers, and that two of these—Steuben and Lafayette—were not Americans. Nor can the justice of the sentence in my opinion be reasonably impugned. An enemy who was in the camp for the purpose of plotting with the commander for a corrupt surrender, and who passed through the lines in a civilian dress, under a false name, and with papers

conveying military intelligence to the enemy, did unquestionably, according to the laws of war, fall under the denomination of a spy, and the punishment awarded to spies was universally recognised and had been inflicted by both sides in the present war. The argument by which the English commander endeavoured to evade the conclusion seems to me destitute of all real force. Arnold, he said, whatever might be his faults, was undoubtedly the duly constituted commander at Westpoint. Everything André did was done at his invitation or under his direction. As general he had a full right to give passes; and a British officer who landed under a flag of truce which he had given,[1] who came to the camp at his request, who left it with his pass, and who, even in assuming a false name, was only acting by his direction, could not, according to the general custom and usage of nations, be treated as a spy. The obvious answer was that Arnold was at this time deliberately plotting the destruction of the Government which employed him, and that no acts which he performed with that object and for the purpose of sheltering an active colleague, could have any binding force as against the Government which he betrayed. As a matter of strict right, the American sentence against André appears to me unassailable, and it is only on grounds of mercy and magnanimity that it can be questioned. One extremely strong palliating circumstance might be adduced. André had consented to an interview with Arnold only upon a distinct understanding and stipulation that he was not to enter the American lines. General Clinton had given him precise orders that he was not to do so, and was not to change his uniform; and André asserted, and the statement seems never to have been questioned or doubted, that when Arnold undertook to conduct him to Smith's house he was not aware that it was within the American lines,

[1] There was much dispute about the flag of truce. Colonel Robinson wrote from the 'Vulture' to Washington that André 'went up with a flag at the request of General Arnold.' Arnold himself wrote that André was 'assuredly under the protection of a flag of truce sent by me to him for the purpose of a conversation which I requested,' and Clinton laid much stress on the same defence. On the other hand, although the boat to the 'Vulture' carried a passport describing it as sailing under a flag of truce, no such flag appears to have been actually displayed. The landing was effected with profound secrecy and in the dead of night, and André very imprudently admitted on his trial that he did not suppose that he had landed under the sanction of a flag. See *The Proceedings of the Board of General Officers respecting Major André.*

and learned it for the first time when they were challenged by the American sentinel and when it was too late to recede. This fact does, as it seems to me, materially affect the question, and it is much to be regretted that it did not induce Washington, at least to grant the request of André that he might die the death of a soldier. The English could also allege with truth that on their side they had not carried military law to its full severity. It was only by a very indulgent interpretation that General Lee could escape being treated as a deserter. The forty citizens of Charleston who, after they had given their parole to the English, had corresponded with the enemy, had in strict justice incurred a much more terrible penalty than a short banishment to Florida, and Sir Henry Clinton afterwards stated that he had in several cases 'shown the most humane attention to the intercession of Washington even in favour of avowed spies.'[1]

There is, however, much to be said on this ground also for the Americans. As I have already observed, they have always been more free than the English from explosions of sanguinary fury, but the moment when the army was thrilling with indignation at an act of treason which had almost led to its complete destruction, was scarcely one in which the American general could, with any regard to the public sentiment, abate anything of the full legal punishment of the chief conspirator with the traitor. Nor should it be forgotten that Washington was as yet entirely ignorant of the extent of the plot. His first exclamation to Lafayette, on hearing of the treason, was, 'Whom then can we trust?' and there was great reason to fear that it might have spread among other leading officers. Was this a time when the risks of treason could be safely diminished, when any deterring circumstance in the just and legal punishment of traitors, or of spies, could be safely omitted? Washington, during his whole life, proved himself an eminently humane, as well as an eminently wise man; and

[1] See the narrative of this episode drawn up by Sir Henry Clinton, in the appendix to the seventh volume of Lord Stanhope's history. Lord Stanhope has stated with great force and perspicuity the case of those who consider the execution of André criminal. Mr. Sparks has given an admirably full and fair account of the whole transaction in his *Life of Arnold*.

his letters appear to show that he acted with an unclouded mind, and on a deliberate conviction of the necessity of the case.[1] It has been said that the American generals were usually uneducated men, that their opinion on a difficult question of military law was of little value, and that the English proposal to submit the matter to the joint decision of Rochambeau and Knyphausen ought to have been accepted. But the sentence of the board of generals which condemned André remains, and no document could be more temperate or better reasoned. The Americans, in truth, in this very trying moment showed themselves singularly free from sanguinary passion; and the deep compassion for André expressed by high officers in the American camp, and the unvarying humanity and respect shown to Mrs. Arnold and her child, are a most honourable proof that they had not lost the power of judging with equity and calm.[2]

On the whole, I must acknowledge myself unable to subscribe to the condemnation which many English writers have passed upon the conduct of Washington and the other American generals in this matter. The action of Washington, indeed, in another transaction connected with the treason of Arnold, which has received a far smaller share of public notice, appears to me to press much more closely upon that obscure and wavering line which separates in time of war the lawful from the treacherous. A plan was formed in the American camp for abducting Arnold, so as to bring him into the power of the Americans. It was proposed that an American, pretending to be a deserter, should endeavour to win his confidence and ob-

[1] These are the words in which Washington himself announced the transaction to Count Rochambeau:—'Your Excellency will have heard of the execution of the British Adjutant-General. The circumstances under which he was taken justified it, and policy required a sacrifice; but as he was more unfortunate than criminal, and as there was much in his character to interest, while we yielded to the necessity of rigour, we could not but lament it.'—Washington's *Works*, vii. p. 241. 'André,' he wrote to Colonel Laurens, 'has met his fate, and with that fortitude which was to be expected from an accomplished man and gallant officer.'—Ibid. p. 256.

[2] The testimony of Alexander Hamilton, who saw André during his last days, is very remarkable. He says: 'Never perhaps did any man suffer death with more justice or deserve it less.' 'Among the extraordinary circumstances that attended him, in the midst of his enemies he died universally esteemed and universally regretted.' Hamilton confesses, however, in another letter, that 'the refusing him the privilege of choosing the manner of his death will be branded with too much obstinacy.'—Hamilton's *Works*, i. 172–182, 187.

tain some menial position in his service, and that some night, when the opportunity served, he should, with the assistance of a confederate in the English camp, seize and gag the general, and drag him within the American lines. I think that most admirers of Washington will regret that he fully approved of this plot, and gave money for its accomplishment, though with the reservation that Arnold must not be assassinated, but brought in alive.[1] The Americans were so anxious to obtain possession of Arnold that they had actually made the strange and shocking proposal that the English should surrender him as a price for the release of André. It was a proposal to which, of course, there could be but one answer among honourable men.[2]

There had been great hopes in America that the campaign of 1780 would prove the last, and that, with the powerful assistance of France, it would be possible, and even easy, in that year to annihilate the English army on the Continent. In fact, however, with the exception of the campaign in the Southern provinces, in which the balance of success was greatly in favour of the English, the year in America was, in a military point of view, almost uneventful. The combined enterprises, indeed, of the French and Americans had hitherto been singularly unsuccessful. The attack on Rhode Island had failed. The attack on Savannah had failed, and the expedition against New York had been abandoned. The legion of the Duke of Lauzun was stationed in Connecticut, but all the other French troops remained in Rhode Island, where their chief service to the cause was the purchase of their supplies with hard coin, which helped in some considerable degree to restore the exhausted currency of specie.[3] The English went into winter quarters at New York and its dependencies; and the Americans on some high grounds bordering on the North river. In spite of the forced requisitions of food which the Americans now systematically made, the contrast between the situation of the troops who were supposed to be the liberators and of the troops who were supposed to be the oppressors of America continued to be very mortifying. 'While our army is experiencing almost daily want,' wrote Washington, 'that of the enemy in New York is deriving ample

[1] Washington's *Works*, vii. pp. 545–547.
[2] Spark's *Life of Arnold*, pp. 269, 273.
[3] Hildreth, iii. 330.

supplies from a trade with the adjacent States of New York, New Jersey, and Connecticut, which has by degrees become so common, that it is hardly thought a crime.' The readiness, indeed, of the farmers to supply the English with everything they could want, in defiance of the prohibitions of the revolutionary conventions, was so great, that the army of Clinton had become almost independent of the supplies that were sent by sea.[1]

A few miscellaneous American matters of some importance were accomplished during this year. Congress, recognising that the war was not yet over, again reorganised the army on a plan which was calculated to produce 36,000 men, though in truth there were never half that number in the field; and, in two important respects, the urgent representations which Washington had for several years been making were at length attended to. The soldiers were to be enlisted to the end of the war, and the officers, who served to that period, were promised half-pay not merely for seven years, as had been decided in 1778, but for life.[2] The first measure had become less difficult, as it was evident that the war was near its close. The second measure, which was an act of the barest justice and gratitude to men who had sacrificed very much in the American cause, was carried with some difficulty in the face of the opposition of Samuel Adams. A considerable exchange of prisoners was made, and the English were anxious to release in this way the old troops of General Burgoyne, who, in spite of the Convention of Saratoga, had been so long and so dishonourably de-

[1] Washington's *Works*, vii. 286, 287. When the Americans had gone into winter quarters Washington wrote to General Greene:—'I have been driven by necessity to discharge the levies; want of clothing rendered them unfit for duty, and want of flour would have disbanded the whole army if I had not adopted this expedient for the relief of the soldiers for the war.'—Ibid. p. 321.

'L'esprit de patriotisme,' wrote Count Fersen at this time, 'ne réside que chez les chefs et les principaux du pays, qui font de très-grands sacrifices. Les autres qui forment le plus grand nombre ne pensent qu'à leur intérêt personnel. . . . Les habitants des côtes, même les meilleurs Whigs, apportent à la flotte Anglaise mouillée dans Gardiner's Bay des provisions de toute espèce, et cela parcequ'on les paie bien; ils nous écorchent impitoyablement. . . . Dans tous les marchés que nous avons conclus avec eux ils nous ont traités plutôt comme ennemis que comme amis. Ils sont d'une cupidité sans égale. . . . Je parle de la nation en général. Je crois qu'elle tient plus des Hollandais que des Anglais.'—*Lettres de Comte Fersen*, i. p. 51.

[2] Hildreth, iii. 324.

tained. The Americans, however, though they were ready to exchange the officers, considered the detention of the privates favourable to their interests, and they were accordingly kept in captivity till the end of the war.[1]

The financial difficulty was, as always, the most pressing, and, when it became certain that another campaign must be undergone, Washington ventured to say little more than that the cause was not absolutely desperate.[2] The immense issue of paper money in 1779 had made it almost worthless, and intelligent men clearly saw that bankruptcy could not long be averted. The plan of calling on the different States to supply the army in kind, by sending fixed quantities of provisions and clothing, was largely employed; but, as we have seen, it was far from successful, and it gave rise to an immense amount of embezzlement. Strenuous efforts were made to obtain loans in Spain and in Holland, but very little could in this year be obtained from Spain and nothing from Holland. France, however, though her own finances could ill afford it, continued steadily to support America, and her assistance was as indispensable in finance as in arms. But for a loan of four millions of livres granted by France in this year, and for the large sums expended by her army in America, it is difficult to see how the contest could have been continued. At the end of 1779, Congress issued a powerful address to the States, in which, while calling for new exertions, it endeavoured to dispel all fears that America would not ultimately redeem the promises of its paper money. 'A bankrupt, faithless republic would be a novelty in the political world, and appear among respectable nations like a common prostitute amongst chaste and respectable matrons. The pride of America revolts from the idea; her citizens know for what purposes these emissions were made, and have repeatedly pledged their faith for the redemption of them.'[3] Unfortunately, in little more than three months after these brave words were written, the apprehended bankruptcy came. It took the form of a Bill calling in the existing continental paper by monthly payments, and replacing it by a new issue based on

[1] Stedman, iv. 254. Washington's *Works*, vii. 288.

[2] See a striking passage in Washington's *Works*, vii. 229.

[3] Bolles, pp. 86–87; Ramsay, ii. 129.

the credit of the States, at a discount of forty dollars of the old emissions for one of the new. This new paper was to be redeemed in specie within six years, and it bore interest at the rate of five per cent. By this measure, forty dollars of the continental currency was made an equivalent for one dollar in specie, and the old paper currency ceased to circulate.[1]

It is not surprising that after this shock to public faith the new issue had little security, though more serious efforts than in former years were now made to face the financial difficulties. Heavy taxation was imposed by the different States. A movement began among the ladies of Philadelphia, and spread through other States, of collecting or making clothes for the half-naked soldiers, and a bank was erected, chiefly by private subscriptions, for the purpose of helping the Government.[2] But for the assistance of France, however, the financial condition of America would have been desperate, and, in spite of that assistance, it was little less. The expenses were cut down as much as possible. A new wave of ruin swept over large classes as 39-40ths of the old currency were simply sponged out. The French themselves were extremely irritated by a measure which affected the many French creditors who had supplied the Americans in the time of their deepest need with articles of the first necessity, and Vergennes expressed a strong opinion that foreigners ought to have been excepted from its operation.[3] The new paper soon became almost worthless, and the condition of the army at the end of the year was worse than ever. Hamilton, whose great financial genius was now becoming apparent in American politics, wrote, in December 1780, from Morristown, where the army was in winter quarters, 'I find our prospects are infinitely worse than they have been at any period of the war, and unless some expedient can be instantly adopted, a dissolution of the army for want of subsistence is unavoidable. A part of it has been again several days without bread; and for the rest we have not, either on the spot or within reach, a supply sufficient for four days. Nor does this deficiency proceed from accidental circumstances, as has been the case on former

[1] Bolles, pp. 94, 135, 217–220.

[2] See on these different measures Bolles's *Financial History of the United States.*

[3] See Adam's *Works*, vii pp. 190–192.

occasions, but from the absolute emptiness of our magazines everywhere, and the total want of money or credit to replenish them.'[1] 'A foreign loan,' wrote Washington in the preceding month, 'is indispensably necessary to the continuance of the war. Congress will deceive themselves if they imagine that the army, or a State that is the theatre of war, can rub through a second campaign as the last. . . . Ten months' pay is now due to the army. Every department of it is so much indebted, that we have not credit for a single express, and some of the States are harassed and oppressed to a degree beyond bearing. To depend, under these circumstances, upon the resources of the country unassisted by foreign loans, will, I am confident, be to lean upon a broken reed.'[2]

If England and America had been alone engaged in the contest, I scarcely think that any impartial judge can doubt that the Revolution would have been subdued; though, if the American people had ever been animated by a serious and general desire to detach themselves from England, it would have been utterly impossible to have kept them permanently in subjection. England, however, was now struggling with a confederation which might well have beaten the strongest power in Europe to the dust. The efforts of the ministry to restore the navy to its full efficiency had been earnest, skilful, and successful; but one of the worst signs of the time was the degree in which, during the conflicts between Keppel and Palliser, party spirit had passed into its ranks. Still the old prowess of the sailors was unimpaired; and if they could not save their country from grievous loss, they at least saved it from ruin and from disgrace. In December 1779 the command of a considerable portion of the navy passed into the hands of one who was in some respects, at least, a worthy successor of that long line of illustrious seamen to whom England owed so much of her greatness in the world.[3] Rodney was one of the many

[1] Quoted by Bolles, pp. 99–100.

[2] Washington's *Works*, vii. 300. In the same spirit Hamilton wrote in 1780, 'As to a foreign loan, I dare say Congress are doing everything in their power to obtain it. The most effectual way will be to tell France that without it we must make terms with Great Britain. This must be done with plainness and firmness, but with respect and without petulance; not as a menace, but as a candid declaration of our circumstances'—Hamilton's *Works*, i. 161.

[3] Adolphus, iii. p. 156.

men of brilliant capacity who had been brought into the front rank by Pitt during the great French war. He had bombarded Havre and destroyed the preparations for an invasion of England in 1759, and he commanded the squadron which, in the beginning of 1762, captured Martinique, St. Lucia, St. Vincent, and Grenada. He afterwards became a baronet, vice-admiral, and member of Parliament; but he ruined himself at the gambling-table, and was obliged to fly to France from his creditors. The story that he was offered high rank in the French navy appears to rest on no good authority; but it is certainly true that it was a distingnished Frenchman—the Marshal de Biron—who, by a timely loan, extricated him from his most pressing difficulties, and enabled him to return to England. He was a somewhat vain and boasting man without any high principle, and a complete slave to women and to play; but on sea he ever showed himself almost recklessly daring in seeking danger, and eminently prompt, skilful, and self-possessed when encountering it. He was now appointed to the command of the fleet in the West Indies, and was directed on his way to relieve Gibraltar, which was still blockaded by the Spaniards. In addition to the ships intended for the West Indies, a part of the Channel fleet accompanied him as far as Gibraltar.

The voyage was brilliantly successful. A few days after his departure he encountered a fleet of fifteen Spanish merchant ships, chiefly laden with provisions, and escorted by seven ships of war, and he succeeded in capturing them all. About a week later he fell in near Cape St. Vincent with a Spanish squadron of eleven ships of the line and two frigates under the command of Don Juan Langara. The English greatly outnumbered the Spaniards, so the latter had no resource but flight. The night was fast falling in, and it appeared hopeless to continue the pursuit in the dark, in a furious gale and along a most dangerous coast. Rodney determined however to do so. He fought a kind of running battle, which continued till two in the morning, and he succeeded, without losing a single ship of his own, in destroying or capturing seven ships of the line. Gibraltar was then relieved at a time when its provisions had run so low that it must very soon have surrendered; the cargoes of the

recently captured ships were employed to replenish its stores; and Rodney then proceeded to the West Indies, while the division from the Channel fleet returned to England, with some French vessels that it encountered on its homeward voyage, and brought no less than six captured ships of the line to strengthen the navy at home.

In the West Indies, however, nothing decisive was this year done. There had been some isolated combats between English and French ships, in which much gallantry was displayed, and even before Rodney arrived, the English, though greatly outnumbered by the French, did serious damage to French commerce. The arrival of Rodney made the opponents nearly equal; but Count de Guichen for a long time avoided an action, and when he at last fought one, he selected a position which enabled him, as soon as his ships had been considerably injured, to take shelter under the batteries of Guadaloupe. The arrival of a Spanish fleet soon after gave the enemy a decisive superiority in the West Indies; but it led to no important result. Sickness raged in the Spanish fleet. Many of the French ships were seriously injured, and the two commanders did not work cordially together. The appearance of De Guichen in America had been looked forward to as likely to give the Americans such a naval superiority as would render possible an attack upon New York; but De Guichen now returned to France with a convoy of merchant ships. The Spaniards proceeded to Havannah, and Rodney sailed for New York.

Sir Charles Hardy, who in the preceding year commanded the English Channel fleet, died this year, and the command passed first to Admiral Geary, and on his resignation to Admiral Darby. This fleet did not, however, come in conflict with the enemy, and it accomplished little or nothing except the capture of some French merchantmen. The French and Spanish fleets joined, as in the preceding year; but, instead of entering the British Channel, they judiciously scattered themselves over the tract of sea through which the outward-bound trade of Great Britain to the East and West Indies usually passed, and they succeeded in inflicting upon England the greatest disaster she experienced during the year. A fleet of merchants and transports for the West Indies, and another for the East Indies, had

sailed together under a small convoy from Portsmouth towards the end of July, and on August 8 they fell in with a division of the combined French and Spanish fleet. The convoy and a few merchantmen succeeded in escaping; but more than forty ships—many of them laden with naval and military stores urgently required in the East and West Indies—were captured and brought in triumph to Cadiz. Another great disaster occurred this year off Newfoundland, where some American privateers intercepted the outward-bound Quebec fleet. Several of the vessels were afterwards recaptured, but fourteen valuable ships were secured by the enemy.

While these things were happening the area of hostility to England was rapidly extending, and two most formidable additions had been made to the dangers which already menaced her. At the beginning of the war the Northern powers, but especially the Empress of Russia, had leaned decidedly to her side, and the probability of their assisting her had more than once thrown a dark shadow over the minds of American statesmen and diplomatists. At the same time, although the Northern powers had no sympathy for America, and very little for France, there existed among them, as among all other nations, much jealousy of the complete naval ascendency which England had obtained under Chatham. As early as 1778, both Vergennes and several of the minor maritime powers had asked the Russian Empress to place herself at the head of a movement to restrict the English pretensions to interfere in time of war with the commerce of neutral nations; but their efforts had little success.[1] Catherine distinguished

[1] See the letter of Vergennes in Circourt, iii. 223–225. On December 31, 1778, Mr. Harris wrote to Lord Suffolk that Count Panin had told him 'that he was obliged to express Her Imperial Majesty's wishes, that we should put a little more circumspection in our mode of proceeding against the ships of neutral States; that we should otherwise irritate powers now well disposed towards us; that Denmark, Sweden, and Holland had respectively solicited the Empress to join with them in a representation to us on this subject; and, although I might be assured of her moving with the greatest delicacy in whatever would give us pain, yet he must candidly confess she could not see with indifference the commerce of the North so much molested as it was by our privateers. That the vague and uncertain definition given by us to naval and warlike stores exposed almost all the productions of these parts to be sequestered; and that it became the Empress, as a leading power on this side Europe, to expostulate with us and express her desire that some alteration might be made in our regulations on this article.'—*Malmesbury Diaries*, i. 220.

Harris, who represented England at the Court of Russia, by her special favour; she uniformly expressed her strong sympathies with the English cause, and she was at one time all but induced to enter into an active alliance with England. At her Court there were two rival parties, headed respectively by Panin and by Potemkin. The first was completely in the interests of Frederick of Prussia, and like that potentate very hostile to England. Potemkin, on the other hand, leaned towards the English alliance, though he seems to have been open to the offers of the highest bidder, and the real motive of his policy was a desire to depress his rival. The intellect and political knowledge of the Empress made her quite capable of taking her own line, and when she had fully decided on a course, she could pursue it with high courage and with an inflexible determination; but her will had of late been somewhat enfeebled by long-continued debauchery, and she was more frequently governed than of old by sudden gusts of anger, passion, or caprice.

It does not appear that she was ever really hostile to England, although she adopted a line of policy extremely injurious to that country. The English had given orders, which were strictly obeyed, that Russian ships should never be molested; but the Spaniards not only searched, but captured, two Russian ships, which they erroneously imagined to be trading with England. Catherine was extremely angry, and ordered a number of Russian ships of war to be at once equipped to protect Russian commerce. She appeared determined, if not to enter into the war, at least to make a demonstration against Spain, which would be so threatening that it would have detained a great part of the Spanish fleet in its harbours. Frederick, however, succeeded in inducing the Spaniards to restore the vessels without any delay, and with an ample apology, and Panin dexterously made use of the occurrence to persuade the Empress to place herself at the head of a Congress for defining the rights of neutrals, in a manner which would prevent the recurrence of such an incident as had just taken place, would greatly favour neutral and minor powers, but would at the same time be extremely injurious to English interests. The doctrine of maritime law which Eng-

land had steadily asserted was that which Vattel laid down when he maintained that 'the effects belonging to an enemy found on board a neutral ship are seizable by the rights of war;'[1] in other words, that a belligerent power must not be allowed to carry on its commerce in safety in neutral bottoms or under a neutral flag. To enforce this position, the English had always strenuously maintained their right of search, and they had sometimes unduly extended their right of blockade to coasts and harbours which were in fact very imperfectly beleaguered by their ships. In March 1780 the Empress of Russia issued a declaration to the belligerent powers in which she laid down four propositions as the first principles of maritime law on the questions at issue. They were, that neutral vessels may navigate freely from harbour to harbour and along the coasts of countries that are at war; that all goods of belligerents which are not contraband may be lawfully carried in neutral vessels; that those articles only, are contraband which are expressly enumerated as such in the treaty of commerce between England and Russia; and that a harbour is not blockaded except when the enemy's ships are sufficiently near to make it evidently dangerous to enter it. All judgments, the declaration added, relating to the legality of prizes must for the future be determined by these rules, and the Empress announced her intention of employing her fleet to protect her commerce in accordance with them.[2]

The questions at issue, considered as matters of argument, can hardly be decided except by an appeal to history; and on one point, and that the most important, the Russian declaration was a complete innovation upon the ancient maritime law of Europe. The right of a belligerent to confiscate all goods belonging to an enemy found on neutral vessels had been fully recognised in the Consolato del Mare, which chiefly regulated the maritime law of the Middle Ages. It appears then to have been undisputed, and it is not too much to say that it had been asserted and acted on in more modern times by every considerable naval power. An ordinance of Lewis XIV., indeed, in 1681, went much beyond the English doctrine, and asserted,

[1] *Droit des Gens*, book iii. § 115. [2] *Malmesbury Diaries*, i. 291.

in accordance with what is said to have been the earlier French practice, the right of a belligerent to confiscate any neutral vessel containing an enemy's goods; and this was the received French doctrine for the next sixty-three years, and the received Spanish doctrine for a considerably longer period. In 1744, however, a new French ordinance adopted the English rule that the goods, but the goods only, were liable to confiscation. Holland, in her practice and her professions, had hitherto agreed with England, and the right of a belligerent to confiscate an enemy's property in neutral ships was clearly laid down in the beginning of the eighteenth century by Bynkershoek, the chief Dutch authority on maritime law. Russia herself, during her late war with the Turks, had systematically confiscated Turkish property in neutral vessels.[1] The importance, indeed, to any great naval power of stopping the commerce of its enemy, and preventing the influx of indispensable stores into its ports, was so manifest, that it is not surprising that it should have been insisted on; and it is equally natural that neutral powers which had little or no prospect of obtaining any naval ascendency, should have disliked it, and should have greatly coveted the opportunity which a war might give them of carrying on in their own ships the trade of the belligerents. The doctrine that free ships make free goods appears to have been first put forward in a Prussian memorial in 1752, at a time when Prussian merchantmen had begun, on some considerable scale, to carry on trade for the powers which were then at war; but it never received any sanction from the great maritime powers till France, with the object of injuring England, adopted it in 1778. The accession of Russia in 1780 at once gave it an almost general authority. Denmark and Sweden immediately acceded to the league, and nearly all the other neutral powers joined it in the next two years. France and Spain both professed their adhesion to it; but England, without directly disputing it, dryly answered, that the King had always acted 'towards friendly and neutral powers according to their own procedure respecting Great Britain, and conformable to the clearest principles generally acknowledged as the law of nations;' that England had treated, and would treat, Russian commerce with every con-

[1] *Malmesbury Diaries*, i. 306. 307.

sideration, and that the English Courts of Admiralty would decide any question that arose, with strict equity.[1]

Although no war resulted from the armed neutrality, it was extremely unfavourable to the interests of England. It arrayed the greater part of Northern Europe in diplomatic hostility to her, it deprived her of all prospect of assistance from Russia, and it greatly increased the probability of an extended war. Fortunately, however, the Empress had no wish to engage in a contest. She continued attached to the armed neutrality rather through pride than through affection, and she herself candidly told Sir J. Harris that it ought rather to be called an armed nullity than an armed neutrality.[2]

The second event which was very hostile to England in this year was the breach with Holland. The justice or injustice of that breach involves very difficult and intricate questions of public law, and I must content myself with giving a brief summary of the real and ostensible reasons of the step. The Dutch had from the beginning of the war been divided into two parties —the party of the Stadtholder, which was on the whole favourable to the English, and extremely anxious to maintain a strict neutrality, and the party of the Pensionary and City of Amsterdam, which was vehemently anti-English, and in a great measure under French influence. At the same time a country, which was essentially a country of merchants, and in which a smuggling trade with other powers had attained a great development, was certain to avail itself largely of the opportunities opened by the war, and to look forward with some eagerness to the chances of ultimately obtaining a share in the legitimate commerce of America. In spite of some formal prohibitions by the Dutch government, the little island of St. Eustatius had, since the beginning of the war, carried on an enormous trade in military and other stores with America, and had risen in consequence from a place of perfect insignificance to the importance of a great commercial centre. At the same time, the Dutch had no wish to quit their neutrality, and the American

[1] *Annual Register* 1780, 349, 355. See too, on this subject, Halleck's *International Law*, ii. 308–312; Trescot's *Diplomacy of the Revolution*; Block, *Dict. de la Politique*, art. *Neutralité*.

[2] *Malmesbury Diaries*, i. 355

negotiators sometimes expressed no small exasperation at the failure of their attempts to induce the Dutch merchants to lend them money on very indifferent security. In February 1779, however, William Lee noticed that Amsterdam was steadily urging Holland into hostility with Great Britain.[1] France allowed the Dutch to carry on a free traffic with her in naval stores during the war, but she insisted that this offer should be either formally accepted or declined. It was declined; and the French then repealed the permission given to Holland to trade with her duty free, with the exception of Amsterdam, which retained this privilege 'in consideration of the patriotic exertions made by that city to persuade the Republic to procure from the Court of London the security of that unlimited commerce which belonged to the Dutch flag.' The permission was afterwards extended to Haarlem, and then to the whole province of Holland, and France appears to have depended more upon Holland than upon any other country for those articles which were required for constructing and equipping her ships.[2]

In the meantime, the feeling between England and Holland was growing rapidly worse, and the English and Dutch sailors, who had always been bitterly jealous of each other, and who had contended with no unequal competition in many fields of war and commerce, were in a state approaching frenzy. It is somewhat difficult to apportion fairly the amount of blame, but it is certain that much was done on both sides tending to war. The Dutch were unquestionably carrying on an enormous trade, both in contraband articles and in other articles, with the enemies of England, and they were doing so at a time when they were bound to England by no less than three subsisting treaties of alliance.[3] The English complained that Paul Jones had been allowed to bring his prizes into Dutch harbours and to remain there for several weeks; that American privateers were fitted out with scarcely a semblance of concealment at St. Eustatius; and that this island had long been the chief source of American supplies. By the treaties of 1678 and 1716 between Great Britain and Holland, either power might claim from the other, armed assistance if attacked by the House of Bourbon. After the

[1] American *Diplomatic Correspondence*, ii. 335–338.
[2] Adolphus, iii. 210. [3] *Parl. Hist.* xxi. 1057.

declaration of war by Spain, England in her great need made the claim, but it was wholly disregarded. The Dutch, on the other hand, complained with great bitterness, and frequently with great justice, of the arrogant, lawless, and violent manner in which England exercised the right of search. By a treaty of 1674, it had been stipulated that, when either England or Holland was at war, the other power should have full liberty to carry all goods, either of its own produce or manufacture, or of any other nation, provided they were not contraband, and there was no restriction placed upon the trade of the nation which was at peace, with the enemy of the nation which was at war. Quite apart, therefore, from the Russian contention that 'free bottoms make free goods,' Holland could plead a distinct treaty justification for her commerce with France. But the English, asserting sometimes that the treaty of 1674 was tacitly abrogated by the later treaties which obliged Holland to defend England by arms when she was attacked, sometimes that the whole coast of France must be considered under blockade, completely disregarded the claims of Dutch commerce.[1] Many Dutch ships were seized and detained, some justly as containing contraband goods, some unjustly for simply trading with France, or for carrying French property. On one occasion the English seized Dutch vessels that lay at anchor under the very guns of the Dutch fort on the little island of St. Martin. On another occasion they committed a similar act of violence on the Dutch coast. The Dutch announced their intention of sending their ships under convoy, and they revived a doctrine which Sweden had put forward in the middle of the seventeenth century, that ships under convoy could not be searched without insult to the national flag. In January 1780, a merchant fleet laden with naval stores for France, and convoyed by Count Bylandt, was encountered by a British squadron under Admiral Fielding, who attempted to search it. The attempt was resisted. Several shots were fired, and several Dutch ships taken. After a long and angry correspondence, the English announced that, as the Dutch refused to furnish the aids that were demanded according to treaty, as they systematically supplied the enemies of England with ammunition and stores, and as they had re-

[1] *Parl. Hist.* xxi. 998, 1064, 1065.

sisted by force the English right of search, they could no longer claim the benefits of the alliance, and that the treaties between the two nations must be considered abrogated. The Dutch, on the other hand, now eagerly acceded to the armed neutrality, hoping that, under cover of the new doctrine, they could carry on their trade with France as freely as under the treaty of 1674.

It needed but a spark to kindle the war. In September 1780, an English frigate captured, near Newfoundland, an American packet, and among the prisoners was no less a person than Henry Laurens, the late president of the Congress, who was now being sent over as an ambassador to Holland. He flung his papers overboard, but an English sailor sprang into the water and caught them before they sank. Among them was found the copy of a treaty of commerce and amity between Holland and the United States of America, framed and executed on the one hand, in the name of the magistracy of Amsterdam, by Van Berckel, the Pensionary of Amsterdam, and by a prominent Amsterdam merchant named Neufville, and on the other by John Lee, the American Commissioner. It was dated September 1778, a time when the treaties of alliance were in full force, and when no formal complaints appear yet to have been made against England; and it was accompanied by several letters showing that Laurens was on a mission to Holland, and that Holland was largely supplying America with munitions of war. It is true that the principal document committed only a single city—though the most important one in Holland—that it was merely a proposal to be concluded 'hereafter,' that it had not received the sanction of the States-General, and was therefore absolutely without legal validity; and that, as it was necessary for the validity of the treaty that the States should be unanimous, it would almost certainly not have been ratified until England herself had acknowledged the independence of America. Still it is not surprising that the discovery, that as early as August 1778, the chief magistrates of Amsterdam had been engaged in a clandestine correspondence with the Americans, and that they had given instructions and full powers for negotiating a treaty of close amity with the revolted subjects of a power with which Holland was connected by no less than three treaties of intimate alliance, should have been

regarded in England as a grave provocation. Two peremptory memorials were sent by his Majesty's ambassador at the Hague, demanding a formal disavowal of the conduct of the Amsterdam magistrates, a speedy satisfaction adequate to the offence, and an immediate and exemplary punishment of Van Berckel and his accomplices. The disavowal was readily conceded, but the reply to the demand for satisfaction and punishment was so dilatory and evasive that Sir Joseph Yorke was ordered to quit the Hague, and on December 20, 1780, England declared war against Holland.[1]

This declaration of war was treated by the English Opposition as a great crime, and many later writers have adopted the same view. It has been said, with much force, and with a large amount of truth, that a project of a treaty which was entirely unrecognised by the one power that could give it validity was no sufficient reason for declaring war; that the House of Orange, and the large party connected with it, had shown themselves steadily favourable to England; that there was an evident wish on the part of the English ministers, at a time when, owing to the action of the Northern powers, the question of neutral commerce had assumed a very dangerous aspect, to force on a quarrel with Holland on another ground upon which she might be unable to claim the assistance of those powers; and that the unprotected condition of the rich commerce and colonies of Holland was the true secret of the popularity of the war. At the same time, in justice to England, the treaty of Van Berckel must be taken in conjunction with many previous grievances and provocations, with the uniform and undisguised attitude of hostility which Amsterdam had consistently maintained, and especially with the undoubted fact that Holland was giving constant and most valuable assistance to two of the enemies of England. There is at least a presumption that no English ministers would, without what they believed to be serious reasons, declare war against Holland at a time when the naval supremacy of England was already trembling most doubtfully in the balance, when

[1] The official documents relating to these transactions, and also an excellent summary of the arguments on both sides, will be found in the *Annual Registers* of 1780 and 1781, and the debates on the subject in *Parl. Hist.* vol. xxi. should also be consulted.

a great coalition was already in arms against her, and when she was threatened with the hostility of all the maritime powers of the North. Holland was indeed, as a belligerent power, not what she had been. The great growth of the commercial spirit, a long period of almost unbroken peace, a form of government which was peculiarly unfitted for decisive and concentrated action, grave internal dissensions, and the weakness of character of the existing Stadtholder, had deprived her of much of her ancient consideration both in England and abroad. Her conduct in the war of 1744 had shown much feebleness, and her navy appears now to have been very inadequate for the protection of her commerce and her dominions. At the same time Dutch sailors were still, as they had always been, among the best in the world; and Holland, in proportion to her size, was perhaps the richest country in Europe. Her wealth, no doubt, made her very tempting as a prey, but it also made her not a little formidable as an enemy.

The aspect of affairs at the close of 1780 might indeed well have appalled an English statesman. Perfectly isolated in the world, England was confronted by the united arms of France, Spain, Holland, and America; while the Northern league threatened her, if not with another war, at least with the annihilation of her most powerful weapon of offence. At the same time, in Hindostan, Hyder Ali was desolating the Carnatic and menacing Madras; and in Ireland the connection was strained to its utmost limit, and all real power had passed into the hands of a volunteer force which was perfectly independent of the Government, and firmly resolved to remodel the constitution. At home there was no statesman in whom the country had any real confidence, and the whole ministry was weak, discredited and faint-hearted. Twelve millions had been added this year to the national debt,[1] and the elements of disorder were so strong that London itself had been for some days at the mercy of the mob.

The curtain had seldom fallen on a darker or more ominous scene, and it was plain that the next year must bring with it ruin or deliverance. But the nation was not desponding, and a strange spirit of recklessness was abroad. 'The Dutch war,'

[1] *Annual Register*, 1780, p. 319.

says Walpole, 'was popular at least in the city, where the spirit of gaming had seized all ranks and nothing was thought of but privateering.'[1] It was noticed too that the Gordon riots had produced some reaction in favour of authority, and had thrown a last faint gleam of popularity over the ministers of the Crown.

The French began their operations in 1781 by a renewed attack upon Jersey, but it was even less fortunate than that which had been made two years before. A body of 800 Frenchmen succeeded, indeed, in landing unobserved in the middle of the night, in seizing the capital, St. Helier, and in extorting a capitulation from the captive Lieutenant-Governor; but Major Pierson, a young officer of under twenty-five, having speedily collected some militia, totally defeated the invaders and obliged them all to surrender as prisoners of war. He fell himself at the very moment of the victory which saved the island.

Another important enterprise of the beginning of the year was the relief of Gibraltar. The siege of that fortress had continued without interruption since July 1779, and it had been prosecuted with unremitting energy and with all the strength of the Spanish power. In June 1780, a desperate and skilful attempt had been made to destroy the little squadron which lay in the harbour. Six great fireships laden with combustibles, and connected with iron chains, were drawn up in the form of a crescent, floated, in the middle of a dark night, and with a favourable wind, into the bay, and steered against the ships in the New Mole, while three others were directed against other points. Behind them came a long line of row-boats and galleys filled with armed men, and these in turn were supported by the heavy ships of the Spanish fleet. The first stage of the enterprise was completely successful, and it was only at one o'clock in the morning that the British sailors became aware, by the sudden glare and explosions, of the danger that was bearing down upon them. With a quickness, daring, and presence of mind that had never been surpassed, they sprang into their boats, grappled with the burning fireships, towed them, in spite of the fire of the Spaniards, clear of the English vessels, and not only baffled the long-prepared design of the enemy, but

[1] *Last Journals*, ii. 488.

obtained in the hulks of the captured ships a supply of fuel for which there was urgent need. But an enemy more terrible than the Spaniards was soon again pressing upon the garrison. Since Rodney had relieved them in the beginning of 1780 no considerable supplies of provisions had been obtained. The Moors were now wholly on the side of the enemy, and all supplies from Barbary were cut off. Swarms of Spanish cruisers guarded every approach, and, except a few small cargoes from Minorca, nothing arrived. Scurvy raged among the garrison, and provisions were at last so scanty that a speedy surrender had become inevitable, when the fleet of Admiral Darby appeared, in April 1781, and once more relieved the fortress. Then followed one of the most terrible bombardments yet known. For six weeks 170 cannon and 80 mortars poured their fire upon the town and fortifications, and it was estimated that more than 75,000 shot and more than 25,000 shells were thrown in. The town was almost destroyed, but the fortifications remained intact, and the siege continued during the whole of 1781 and a great part of the succeeding year. Its last important event in this year was a night sortie in November, when the besieged succeeded in blowing up some large magazines and destroying a long and powerful line of carefully constructed works which lay three-quarters of a mile from Gibraltar, and within a few hundred yards of Spanish lines mounted with 135 pieces of heavy artillery.[1]

The defence of Gibraltar is one of the most honourable pages of English history. One of the most dishonourable, in my opinion, is that which tells the events that followed the capture of St. Eustatius from the Dutch. This little island had been for a long time a free port, and it was a great centre of merchants of all nations. Many English traders existed among its population, they had especially gone there after the capture of the English Neutral Islands, and they had been encouraged to trade there by several English Acts of Parliament.[2] The island became a great depôt of merchandise, and the English, like all other customers, were frequently supplied,[3] but owing

[1] Drinkwater's *Siege of Gibraltar*. Mann's *Gibraltar and its Sieges*. Beatson's *Naval and Military Memoirs*, v.

[2] *Parl. Hist.* xxii. 232.

[3] Ibid. p. 233. Rodney, it is true, complained that he had once been refused cordage for his vessels on the ground that none was to be found on

to its situation it was more used by the Americans and by the French, and as these were by far the best customers they were especially popular among the merchants. It is certain that a very large proportion of the population of St. Eustatius were habitually engaged in supplying the Americans with munitions of war, that the governor had shown a great partiality for the Americans, and that the assistance of this island had contributed much to the continuance of the contest, though probably not so much as was afterwards alleged. Rodney described it as 'a nest of thieves,' and he declared that 'this rock, of only six miles in length and three in breadth, had done England more harm than all the arms of her most potent enemies, and alone supported the infamous American rebellion'[1]; and General Vanghan, who was united with Rodney in the expedition, estimated the value of St. Eustatius so highly as a depôt for the Americans that he predicted that its capture would 'prove the means of speedily putting an end to the American war.'[2]

After an unsuccessful attempt to capture the island of St. Vincent, Rodney and General Vaughan, by the express orders of the English Government, proceeded with a powerful force to St. Eustatius, where they arrived on February 3, 1781, and demanded an instant and unconditional surrender. The Dutch governor was at this time absolutely ignorant of the existence of a war between England and Holland. There were not more than fifty-five soldiers on the whole island, and there was no preparation whatever for defence. The surrender was therefore inevitable, and it was made at once and without a blow. The neighbouring and dependent islands of St. Martin and Saba were included, and the English seized in the harbour a Dutch frigate of thirty-eight guns, five smaller ships of war belonging to the Americans, and no less than 150 vessels of all denominations, many of them richly loaded. Another Dutch fleet of about thirty large merchant vessels laden with West India produce, which had left St. Eustatius thirty-six hours before the arrival

the island, and that this was proved after the capture to be untrue, but Burke offered to produce evidence showing its scarcity at that time. Compare Mundy's *Life of Rodney*, ii. 76, 77. *Parl. Hist.* xxii. 776, 777.

[1] Mundy's *Rodney*, ii. 97.

[2] Ibid. 216.

of the English, under the convoy of a ship of war, was pursued and captured, and Admiral Crull, who commanded the Dutch ship of war, was killed in a most gallant attempt to defend his charge.

So far the conduct of the English was fully in accordance with the rights and usage of war, but the sequel of the story appears to me to justify the very strongest condemnation that has been passed upon it. By the command of Rodney and Vaughan, not only all the public stores of St. Eustatius, but also all the private property of the inhabitants was confiscated to the Crown. Such a sentence was utterly beyond the usages of modern warfare, and no parallel could be found to it in the proceedings of any European nation for at least fifty years. The confiscation was absolutely indiscriminating. It applied to men of all nationalities and to stores of every description, even to those which could not possibly be employed for military purposes,[1] and it was carried out with savage severity. The warehouses were closed, and the former owners were not suffered to enter them to form an estimate of their property. Their books and inventories were seized, and most of the inhabitants of the island were banished. Rodney wrote with much complacency that, instead of being the greatest emporium on earth, the island would soon become a mere desert, known only by report.[2] Nor was this all. With a treachery which ought to bring a blush to the cheek of every English historian, the Dutch flag was still suffered to float over St. Eustatius in order that Dutch, French, Spanish, and American vessels, who were ignorant of the capture, might be decoyed into its harbour and become a prey to the captors, and in this manner a large amount of additional booty was secured.[3]

The proceedings of the English at St. Eustatius were brought before Parliament on two several occasions by Burke, in speeches of great ability and information, and although the Government fully adopted the conduct of the admiral, although on the second occasion both Rodney and Vaughan were present to defend themselves, I do not think that anyone

[1] *Parl. Hist.* xxii. 226.
[2] Mundy's *Life of Rodney*, ii. 97. On March 26, Rodney wrote that more than fifty American ships had been taken since the capture of the island.
[3] Beatson, Adolphus, Stedman.

who candidly reads the debates will question that on every essential point the charges of the Opposition were substantiated. Very little indeed was said in reply, except that the Americans had been largely and systematically supplied from St. Eustatius, that the confiscation had been originally made for the Crown and not for the captors, though the Crown afterwards ceded the greater part of its rights,[1] and that in a few instances some property was subsequently restored. The goods that were seized at St. Eustatius were valued at little less than four millions sterling, and the blow was one of the most terrible that could be inflicted upon Holland. It was not, however, of corresponding value to the English. The stores were sold by auction to merchants from the neighbouring islands at rates far below their real value, and a great part of them were bought by agents in the employment of the enemy. Twenty-five ships, laden with booty from St. Eustatius, were taken by a French squadron. The seizure of the property of English merchants was afterwards pronounced by the law courts to have been illegal, and the island itself towards the end of the year was taken by the French.[2]

In addition to the loss of St. Eustatius the Dutch suffered very severely in 1781. They lost numerous merchantmen and a few ships of war. The colonies of Demerara and Essequibo, and the little island of Berbice were taken by English privateers, but the inhabitants were treated with much greater lenity than those of St. Eustatius. An expedition was sent against the Cape of Good Hope, but the French, anticipating the design, hastened to the assistance of their allies, and encountered the English near the Cape de Verd islands. They were repulsed, but the English fleet was much damaged, and French troops having reinforced the Dutch at the Cape of Good Hope the

[1] See Beatson's *Military Memoirs*, v. 178.

[2] See the very full debates on the subject, *Parl. Hist.* vol. xxii.; Beatson's *Military Memoirs*, v. 165, 179; Adolphus, iii. 259, 261; Mundy's *Life of Rodney*; Botta, *Storia della Guerra d'Independenza*, book xiii. Most of these books defend the conduct of Rodney, but the last cited writer gives what I believe to be a very true account of its enormity. When lawsuits were subsequently brought by English subjects on account of property which they alleged to have been wrongfully confiscated, it was found that the books sent home from the island had disappeared from the Government offices, and Rodney maintained that those books contained the evidence of the guilt of many who were pleading for a restitution.

projected attack was abandoned. Negapatam, the great Dutch settlement on the Coromandel coast, was taken after much hard fighting, and between 6,000 and 7,000 men were compelled to surrender. The smaller Dutch settlements along this coast fell into the hands of the English; the Dutch settlements in Sumatra were reduced, and early next year the important fortress of Trincomalee in Ceylon was captured, but soon after retaken. One regular naval combat took place near the Dogger Bank between an English fleet under Admiral Parker and a Dutch fleet under Admiral Zoutman. It showed that the Dutch had lost nothing of their ancient courage. No ships were taken on either side, and after three and a half hours of desperate but indecisive fighting, the two fleets, shattered, and in a great degree disabled, sullenly withdrew. The combat was described by the contemporary English historian as 'by far the hardest-fought battle of any that had yet happened by sea during the war.'[1] The Dutch vainly appealed to Russia for support, on the ground that their adhesion to the principle of maritime war which Russia had put forward had drawn them into the war, but the Russians denied the alleged fact and refused all assistance.[2]

The naval preparations of the French in this year were marked with great energy and success, and they at last gave a decisive turn to the war. Near the end of March, Admiral De Grasse sailed from Brest with twenty-five ships of the line, 6,000 soldiers, and a convoy amounting to between 200 or 300 ships. A small portion of the fleet was detached to serve in the East Indies, and it was this squadron which, as we have just seen, paralysed the English expedition against the Cape of Good Hope. The remainder proceeded to Fort Royal Bay in Martinique, where there was already a small French fleet, and where De Grasse arrived safely at the end of April in spite of the strenuous efforts of Sir Samuel Hood to intercept and to repel him. The French had now a complete naval ascendency in the West Indies, and having made an unsuccessful, or as some say, a pretended attempt upon St. Lucia, they attacked, and after a long and very gallant resistance, captured Tobago. It capitulated just two days before the arrival of a fleet under

[1] Stedman, ii. 296.

[2] *Malmesbury Diaries*, i. 385.

Rodney, which was intended to relieve it. Its loss was severely felt, for it produced the finest cotton imported into England; the price of cotton nearly doubled when it was taken, and there were already 20,000 operatives employed in Lancashire in the cotton manufacture.[1] The real object of De Grasse was, however, not in the West Indies. On July 5 he sailed for St. Domingo, where he was reinforced by five sail of the line, and at the close of the following month he arrived at the Chesapeake with twenty-eight ships of the line, several frigates, and the long-expected force of French soldiers who were to bring the American war to a close.

Before following, however, this last act of the drama, it will be convenient to dispose of the few remaining military operations of the year. The efforts of the Spaniards were chiefly concentrated upon Gibraltar, but they engaged in two other expeditions which proved much more successful. Their only real interest in North America was the reconquest of their old province of West Florida. Don Galvez, the Governor of the Spanish colony of Louisiana, had, as we have seen, in 1779 and 1780, made great progress in that enterprise, but Pensacola, the capital and strongest place of the province, was still in the possession of the English. Don Galvez went himself to Havannah to organise and command a great expedition against Pensacola. It sailed in the beginning of the year, but encountered one of those furious hurricanes which not unfrequently desolated the Cuban coasts, and four large ships with not less than 2,000 men were lost. The remainder of the fleet, being very seriously damaged, returned to Havannah, where it was speedily refitted, and it arrived before Pensacola with between 7,000 and 8,000 Spanish soldiers on March 9, 1781. The English, who were now in nearly all quarters of the world outnumbered, had only two small ships of war at Pensacola, and no succour was to be expected. General Campbell was in command, and he had a small and very miscellaneous force consisting of a few English soldiers, some fugitive loyalists from Maryland and Pennsylvania, and some Germans from Waldeck. The sailors of the two ships, the civil inhabitants, and the negroes all contributed to the defence, which was maintained very valiantly against

[1] *Parl. Hist.* xxii. 778.

overwhelming odds for two months. The blowing up of a great magazine at last made the town completely untenable. It surrendered on May 9, and thus the English lost their last hold on the province which had been reckoned among their most valuable acquisitions by the Treaty of Paris.

The other great Spanish undertaking of the year was the attack upon Minorca which was conducted in conjunction with France. It is a remarkable proof of the magnitude of the naval preparations of the French that having sent out one great fleet from Brest in March, they were able in the following June to send out a second fleet consisting of eighteen powerful vessels from the same port. It was commanded by the Count de Guichen; it joined without difficulty the Spanish fleet, and a large force of Spaniards and French was landed at Minorca, and proceeded to lay siege to its capital. The combined fleet then sailed for the English Channel with the object of preventing the departure of any troops for Minorca, of capturing the homeward-bound merchant ships, of spreading terrors of invasion both in England and in Ireland, and perhaps of crushing the English Channel fleet. It is said to have contained no less than forty-nine ships of the line, while the English fleet under Admiral Darby consisted of only twenty-one ships, though the number was afterwards raised to thirty. As it was impossible with any prospect of success to encounter the French and Spaniards, Admiral Darby retired to Torbay, where he could defend himself with great advantage, and where the enemy did not venture to assail him. He afterwards, while still avoiding an action, sailed out to protect English merchantmen; and in September, many of the enemy's ships having become unseaworthy, the hostile fleet sailed to France and to Spain. For the second time during the war a fleet of the enemy had been for some weeks supreme in the English Channel, and for the second time it retired without any considerable result. In 1781, indeed, it is said not to have captured a single prize.[1]

In the meantime another field of hostility had been unexpectedly opened. The brilliant successes obtained by the English over the French in Hindostan at the beginning of the

[1] *Annual Register*, 1782, pp. 114–118.

war had made all direct competition between the two nations in that country impossible, but it was still in the power of the French to stimulate the hostility of the native princes, and the ablest of all these, Hyder Ali, the great ruler of Mysore, was once more in the field. Since his triumph over the English in 1769, he had acquired much additional territory from the Mahrattas. He had immensely strengthened his military forces both in numbers and discipline, and at the same time improved the government and the revenue of the vast country which he ruled, and though now an old man he retained all his old sagacity, and almost all his old fire. For some years he showed no wish to quarrel with the English, but when a Mahratta chief invaded his territory they refused to give him the assistance they were bound by the express terms of the treaty of 1769 to afford, they rejected or evaded more than one subsequent proposal of alliance, and they pursued a native policy in some instances hostile to his interest. As a great native sovereign, too, he had no wish to see the balance of power established by the rivalry between the British and French destroyed, and he resented bitterly the capture of the French fort of Mahé which was on his own territory, and was, therefore, as he alleged, under his protectorate. Mysore was swarming with French adventurers. The condition of Europe made it scarcely possible that England could send any fresh forces, and Hyder Ali had acquired a strength which appeared irresistible. Ominous rumours passed over the land towards the close of 1779, but they were little heeded, and no serious preparations had been made, when in July, 1780, the storm suddenly burst. At the head of an army of at least 90,000 men, including 30,000 horsemen, 100 cannon, many European officers and soldiers, and crowds of desperate adventurers from all parts of India, Hyder Ali descended upon the Carnatic and devastated a vast tract of country round Madras. Many forts and towns were invested, captured, or surrendered. The Nabob and some of his principal officers acted with gross treachery or cowardice, and in spite of the devastations native sympathies were strongly with the invaders. From Mount St. Thomas, which was only nine miles from Madras, the British officers could plainly see the tall columns of smoke that marked the lines of burning villages, and Madras was for a time

in imminent danger. A few forts commanded by British officers held out valiantly, but the English had only two considerable bodies of men, commanded respectively by Colonel Baillie and by Sir Hector Munro, in the field. They endeavoured to effect a junction, but Hyder succeeded in attacking separately the small army of Colonel Baillie, consisting of rather more than 3,700 men, and it was totally defeated, 2,000 men being left on the field. Munro only saved himself from a similar fate by a rapid retreat, abandoning his baggage, and much of his ammunition. Arcot, which was the capital of the Nabob, and which contained vast military stores, was besieged for six weeks, and surrendered in the beginning of November. Velore, Wandewash, Permacoil, and Chingliput, four of the chief strongholds in the Carnatic, were invested. A French fleet with French troops was daily expected, and it appeared almost certain that the British power would be extinguished in Madras, if not in the whole of Hindostan.

It was saved by the energy of the Governor-General, Warren Hastings, who, by extraordinary efforts, collected a large body of Sepoys and a few Europeans in Bengal, and sent them with great rapidity to Madras under the command of Sir Eyre Coote, who had proved himself twenty years before scarcely second in military genius to Clive himself. I do not propose to relate in detail the long and tangled story of the war that followed. It extended much beyond the period described in the present volume, and, however important in itself, it had but little influence upon the general course of European and American warfare. It is sufficient to say that Coote soon found himself at the head of about 7,200 men, of whom 1,400 were Europeans; that he succeeded in relieving Wandewash, and obliging Hyder Ali to abandon for the present the siege of Velore; that the French fleet, which arrived off the coast in January 1781, was found to contain no troops, and that on July 1, 1781, Coote, with an army of about 8,000 men, totally defeated forces at least eight times as numerous, commanded by Hyder himself, in the great battle of Porto Novo. The war, however, still continued over an ever-widening area, and with very varied success, and both the Dutch and the French were involved in it. I have already mentioned the capture, at the close of 1781, of

the important Dutch settlement of Negapatam, near the southern border of Tanjore, and in the following February the French succeeded in landing 2,000 troops to assist the forces of Hyder Ali. A French fleet hung long about the coast, and several severe but indecisive naval battles were fought in the Indian seas. The English were often thwarted and baffled, and their success seemed sometimes hopeless. The war raged over the Carnatic, over Tanjore, in the Dutch settlements to the south of Tanjore, on the opposite Malabar coast, and on the coast of Ceylon, while at the same time another and independent struggle was proceeding with the Mahrattas. The French were indefatigable in their efforts to obtain a naval ascendency on the coast, and their African islands gave them peculiar facilities for aggression. The English were enormously outnumbered, and, although the Sepoys under their flag proved themselves on this, as on many other critical occasions, most admirable in their courage, patience, and fidelity, there was great treachery and cowardice among natives in high positions under the English and the allied princes. England, struggling at home against overwhelming forces, could do little to assist her great dependency. The coffers at Calcutta were nearly empty, and it was in order to replenish them that Hastings committed some of the acts which were afterwards the subjects of his impeachment. There was dissension in the Government councils, and Sir Eyre Coote, though he was one of the greatest of the many great soldiers who have risen to glory in Hindostan, was now broken by illness, which, though it appears to have scarcely clouded his admirable military judgment, had acted upon his nerves and temper in a manner that made all co-operation very difficult. By the skill and daring of a few able men, of whom Hastings, Coote, Munro, and Lord Macartney were the most prominent, the storm was weathered. Hyder Ali died in December 1782, about four months before Sir Eyre Coote. The peace of 1782 withdrew France and Holland from the contest, and towards the close of 1783, Tippoo, the son of Hyder Ali, consented to negotiate a peace, which was signed in the following March. Its terms were a mutual restoration of all conquests, and in this, as in so many other great wars, neither of the contending parties gained a single advan-

tage by all the bloodshed, the expenditure, the desolation, and the misery of a struggle of nearly four years.[1]

The exhaustion of the war was now felt very severely by all the belligerents in Europe, and several ineffectual attempts were made to terminate it, or at least to restrict its area, and to modify its conditions. The short war which broke out in Germany in 1778, about the Bavarian succession, had been terminated by the Peace of Teschen, which was signed on May 10, 1779, and immediately after, both Austria and Russia made a serious effort to mediate between the belligerent powers. They proposed that, in order to save the pride of England, the negotiations with America should be conducted independently of those with the European powers, but on the understanding that the two peaces should only be signed conjointly, and they also proposed that an immediate truce should be established; but no party was prepared to accept the terms. An abortive effort was made by England to secure the alliance of Russia by promising to her Minorca as the price of a peace based upon that of 1763,[2] and there was a long separate negotiation with Spain which failed through the determination of the English not to surrender Gibraltar.[3] The acquisition of this fortress was the main object for which Spain had entered into the war, and the Spanish ministers now regretted deeply the step they had taken. Minorca, Gibraltar, and Jamaica were still in the hands of the English, though the first was not far from its fall. The capture of Florida was a matter of comparatively small moment, and the independence of America, which seemed likely to be the chief result of the war, was regarded at Madrid, not only without enthusiasm, but with positive aversion, as a grave danger to the colonial and commercial power of Spain. In France, public opinion had greatly cooled towards America. The war had lasted longer than had been anticipated, and the most clear-sighted of the ministers saw plainly that it was sweeping France rapidly to inevitable bankruptcy. Maurepas openly expressed his

[1] See Wilkes's *Historical Sketches of the South of India*; Borrow's *Life of Lord Macartney*; Gleig's *Life of Munro*; *Annual Register*; Mill's *British India*.

[2] *Malmesbury Papers*, i. 399–404.

[3] Adolphus, iii. 187–195. See, too, the second volume of the *Memoirs of Richard Cumberland*, who was sent to Spain to negotiate this matter; and Flassan, *Hist. de la Diplomatie*, vi.

anxiety for peace. Necker, who had at all times opposed the war, wrote a secret letter to Lord North on December 1, 1780, proposing a negotiation, and an immediate truce, leaving the belligerent powers in America in possession of the territory they actually held. Vergennes entirely disavowed this step, but he also was sincerely anxious for peace, if it could be honourably obtained. As we have seen, he was greatly disenchanted with the Americans. He complained bitterly that the whole financial burden of supporting them was thrown upon France, and that the law reducing the value of American paper money was a gross fraud upon French creditors; he had no sympathy with American aspirations for the conquest of Canada, and he was much alarmed at the growing power of Russia, and anxious that England should not be so reduced, or so alienated, as to be unable or unwilling to co-operate with France in her Eastern policy.

In February 1780, John Adams arrived in Paris with instructions to negotiate a treaty of commerce with Great Britain in the event of a peace, but his relations with Vergennes were very stormy. Adams was an able and an honest man, and as he had been commissioner at Paris on the recall of Silas Deane, he was not quite unaccustomed to European ways, but he appears to have been singularly wanting in the peculiar tact and delicacy required in a diplomatist. The terms in which he complained of the insufficiency of the French expeditions to America, the anxiety which he showed, at a time when America was depending almost wholly upon French assistance, to represent his country as completely the equal of France, and to disclaim all idea of obligation, and the sturdy, but somewhat pedantic, republicanism with which he thought it necessary to assure the minister of one of most despotic sovereigns in Europe that 'the principle that the people have a right to a form of government according to their own judgments and inclinations is in this intelligent age so well agreed on in the world, that it would be thought dishonourable by mankind in general' to violate it,[1] made the worst possible impression. Vergennes positively refused to hold any further communications with any American envoy except Franklin, while Franklin himself was

[1] American *Diplomatic Correspondence*, v. 299.

only able to smooth the troubled waters by disavowing the sentiments of his colleague. Vergennes was perfectly determined not to make any peace apart from America, and he was extremely anxious not to sever the interests of America from those of France, but he feared greatly that if Adams were suffered to offer a commercial treaty, a separate peace might be made between America and England, and that the latter power might then turn her undivided strength against her European enemies. On the other hand, he clearly recognised that a speedy peace had become a capital interest to France. He was fully resolved not to continue the war for the purpose of extending American republicanism to Canada, and, provided the independence of America were actually established, he had no wish to oblige England to make any recognition which might appear to her a humiliation. The independence of Switzerland and Genoa, he said, had never been formally recognised by their former masters, and Spain had delayed her acknowledgment of the independence of Holland till long after it had been established indisputably as a fact. These precedents he thought might be followed in America, and he favoured the idea of terminating the war in that quarter by a truce for twenty years, or for a longer term, at the end of which time it was tolerably certain that the war would not be resumed. In order to carry out this scheme it would be necessary for the English to surrender New York, but Vergennes was prepared to leave them Georgia and South Carolina. Such proposals, however, found no favour in America, while in England they were encountered by the absolute resistance of the King.[1]

Nothing, indeed, could be more emphatic than the language of George III. during these negotiations, and his confidential correspondence with Lord North shows clearly how, to the very last scene of the very last act of the tragedy, he insisted in opposing every concession, even some of those which the American Commissioners had considered themselves authorised to offer in 1778. He was determined never to recognise the independence of America, never to admit a compromise under which that independence could become a real, though an

[1] Bancroft, x. 441–445. Circourt, iii. 303–334. American *Diplomatic Correspondence*, iv. v. Trescot's *Diplomacy of the Revolution*.

unrecognised fact, never to enter into negotiation with France and Spain about the affairs of his revolted colonies. He was supported by his unwavering conviction that the independence of America would be the death-warrant of English greatness, and by a persuasion, which he would not abandon even in the very last moments of the contest, that England, by steady perseverance, had it yet in her power to bring the colonies to subjection. 'I can never suppose,' he wrote in the March of 1780, 'this country so far lost to all ideas of self-importance as to be willing to grant America independence.'[1] 'Every invitation to reconciliation,' he wrote two months later, 'only strengthens the demagogues in America in their arts to convince the deluded people that a little farther resistance must make the mother country yield; whilst at this hour every account of the distresses of that country shows that they must sue for peace this summer if no great disaster befalls us.'[2] 'Whilst America is only to be treated with through the medium of France,' he wrote in September, 'or the strange unauthorised propositions of the Commissioners are to be the basis of any arrangement with the rebellious colonies, I cannot give my sanction to any negotiation.'[3] 'The giving up the game would be total ruin; a small state may certainly subsist, but a great one mouldering cannot get into an inferior station, but must be annihilated. . . . The French never could stand the cold of Germany; that of America must be more fatal to them. America is distressed to the greatest degree. The finances of France as well as of Spain are in no good condition.'[4] 'Whilst the House of Bourbon,' he added in October, 'make American independency an article of their propositions, no event can ever make me be a sharer in such a negotiation.'[5] The letter of Necker in December only encouraged the King in these sentiments, for he inferred from it that France was in even greater difficulties than he had imagined, and his only answer to the proposition was, that France might easily obtain peace by desisting from encouraging rebellion and aiming at American independence, 'whether under its apparent name, or a truce, which is the same in reality.'[6] But for the assistance of France, he urged, the contest must still end in the return of the colonies

[1] *Correspondence of George III. with Lord North*, ii. 310. [2] Ibid. p. 319.
[3] Ibid. p. 332. [4] Ibid. p. 336. [5] Ibid. p. 338. [6] Ibid. p. 345.

to the mother country;[1] and as late as the beginning of November 1781, three weeks before the account arrived of the surrender of Lord Cornwallis, the language of the King was as determined as ever. 'I feel the justness of our cause. I put the greatest confidence in the valour of both navy and army, and above all, in the assistance of Divine Providence. . . . I trust the nation is equally determined with myself to meet the conclusion with firmness. If this country will persist, I think an honourable termination cannot fail.'[2]

But if the King was unchanged, the nation at last was beginning to recognise the facts of the situation. The combination of France and Spain against England, and the humiliating spectacle of a foreign fleet commanding the English Channel, had for the first time caused the country gentry to waver, and had convinced many of them of the necessity of abandoning America. The Cabinet was well known to be divided. The Bedford party were peculiarly restless; negotiation after negotiation was made to strengthen the Government by a coalition, and the abandonment of the ministry by Lord Gower, in the autumn of 1779, gave a considerable shock to Tory opinion. The language of the Opposition grew more confident, and for the first time they began to enjoy some real popularity.[3] The ground which they very judiciously selected for their attack was the enormous and corrupt expenditure of the Government. Before the Christmas recess of 1779 the subject had been brought forward in the Lords both by Richmond and Shelburne, while Burke in the Commons had identified himself with it, and promised a comprehensive scheme of reform to be introduced after the recess. Parliament was reminded that the sea and land forces now amounted to little less than

[1] *Correspondence of George III. with Lord North*, ii. 380.

[2] Ibid. 387.

[3] As late, however, as September 16, 1779, Camden wrote to the Duke of Grafton:—'For my own part I confess fairly my own opinion that the opposition to the Court is contracted to a handful of men within the walls of Parliament, and that the people without doors are either indifferent or hostile to any opposition at all. Whether this singular and unexampled state of the country is owing to a consciousness among the people that they are as much to blame as the ministers . . . . or whether in truth they hold the opposition so cheap as to think the kingdom would suffer instead of mending by the exchange, or from a combination of all these motives . . . . the fact is they do not desire a change.'—Duke of Grafton's *Autobiography*.

300,000 men; that the national debt would, by the end of the ensuing year, have increased since the beginning of the war, by 63 millions, and risen to 198 millions; that in spite of the unprecedented magnitude of the Civil List it had been largely exceeded; and that the tap-root of a great portion of this expenditure was a desire to obtain by corrupt means a parliamentary ascendency. Queen Anne had a Civil List 300,000*l.* less than that of George III., yet during the great French war she had allotted 100,000*l.* of it to the support of the war. Now, however, though the country seemed on the verge of economical ruin, the tendency to useless expenditure was even on the increase, and its manifest object was the corruption of Parliament. The enormous multiplication of Court places, of sinecures, of pensions bestowed on members of Parliament, the absurd augmentation of the salaries of minor offices, the contracts which had been issued on terms exceedingly unfavourable to the public, and had then been distributed among members of Parliament—all these things were symptoms of a deliberate intention to falsify the voice of the nation, to govern the country, under the forms of law, through the influence of the Crown, to create in Parliament a body of men who could be counted upon to support any administration, and any measure the King might approve.

If the question depended solely on the wishes of members of Parliament it would soon have been stifled, but the country was now becoming fully aroused. Never perhaps since the convulsions of the Commonwealth had political agitation spread so widely through England as in the recess of Parliament of 1779 and 1780. In nearly every county great meetings were held for the purpose of drawing up petitions. Much was said about the necessity of obtaining a thorough reform of Parliament, and much about the necessity of arresting the war in America, but the main subject of complaint was the corrupt influence in Parliament. The agitation, unlike that of the Middlesex election, was conducted chiefly by the most weighty and most respectable classes of the community. The leading country gentry, and even great numbers of the clergy, took part in it, and in most counties it was supported by the great preponderance of property. The counties of York and Middle-

sex, which were two of the most important, and at the same time most representative constituencies in England, led the way by earnest petitions calling for a reduction of expenditure and especially of sinecures and pensions; and no less than twenty-four counties and several considerable cities passed petitions and resolutions on the corrupt influence of the Crown. A few counter-meetings were held, and strenuous efforts were made by the partisans of the Government to obtain signatures to protests, but on the whole the preponderance both of numbers, property, and influence was decidedly with the Opposition. Committees and associations for agitating the question were in many places formed, and it became customary at these meetings to return public thanks to those politicians who had attempted to prevent or arrest the American War.[1]

The session which ensued showed that the feeling of the country had made a great impression on the members. The disciplined majority which had hitherto steadily supported Lord North was broken; the country gentry could no longer be counted on, and it was noticed that in some of the most important debates the whole stress of defending the Government was thrown upon North and upon the Crown lawyers. In April, Dunning succeeded in giving the most serious blow which had yet been administered to the ministry of North, and to the system of Court policy, by carrying by a majority of eighteen his famous resolution 'that the influence of the Crown has increased, is increasing, and ought to be diminished.' Two other resolutions asserting the competency of the House 'to examine into and correct abuses in the expenditure of the Civil List revenues,' and 'the duty of the House to provide immediate and effectual redress of the abuses complained of in the petitions' of the counties, passed without divisions, and many measures were proposed for the purpose of carrying these resolutions into effect. The vast and complex scheme of economical reform introduced by Burke in a speech which astonished and delighted all sides of the House, from its eloquence, its knowledge, and its wisdom, was calculated to reduce the expenditure by 200,000*l.* a year, and to strike off no less than thirty-nine offices held by members of the House of

[1] *Annual Register*, 1780, pp. 85–88.

Commons, as well as eleven held by members of the House of Lords. North did not venture to oppose it directly, and it passed both its first and second reading, but was ultimately stifled in Committee. The divisions, however, were very close and very fluctuating. Thus a motion of Sir G. Savile for requiring a list of all pensions was only defeated by a majority of two. The clause of Burke's Bill abolishing the third Secretary of State was only rejected by a majority of seven. The clause abolishing the Board of Trade was carried against the Government by a majority of eight. A Bill excluding contractors from the House of Commons passed the Commons, but was rejected in the Lords.

On several important questions, however, the Government had considerable majorities. Thus a Bill for disqualifying revenue officers from voting was thrown out by a majority of twenty-nine. An address moved by Dunning that Parliament should not be dissolved or prorogued till grievances had been redressed was rejected by a majority of fifty-one. An attempt of Conway to bring in a Bill for pacifying America was defeated by the previous question, which was carried by a majority of forty-two, and most of the clauses of Burke's economical reform measures were ultimately rejected by equally large majorities.

It was evident that the current was not yet flowing quite decisively in favour of the Opposition, and it was observed that the divisions in the latter part of the session were in general more favourable to the ministers than in the beginning. The Gordon riots in several ways assisted them. They discredited all popular agitation and political associations. They diverted the mind of the nation from the contest against the corrupt influence of the Crown; and some of the leaders of the Opposition, and especially Burke, became obnoxious to the 'No Popery' feeling which was so strong. There were also dissensions in the Opposition, and it became clear that the question of parliamentary reform must profoundly divide them. The Duke of Richmond supported in the House of Lords a bill in favour of manhood suffrage and annual parliaments. Fox, who on all occasions displayed extraordinary power and scarcely less extraordinary violence in denouncing the ministry, made a speech at a public meeting at Westminster in which he advocated annual parliaments and the addition of 100 county members.

Burke, on the other hand, was strongly opposed to changes in the essential constitution or the duration of parliaments, and when, in May 1780, Sawbridge introduced the question of triennial parliaments, Fox and Burke took opposite sides. The motion of Sawbridge was rejected by 182 to 90.

At the end of September Parliament was somewhat suddenly dissolved. A corrupt system of making payments from the Secret Service money to members of Parliament had been for some time in existence,[1] and large sums were also provided from the Civil List or the Secret Service money for the expenses of Court candidates at the elections. The King afterwards complained that his expenses at the general election of 1780 were at least double of his expenses at any other election since he had come to the throne, and although Lord North disputed the accuracy of this statement, it is certain that they were very great, and not altogether without result.[2] Fox, it is true, was returned with Rodney for Westminster, but Burke lost his seat at Bristol, partly on account of his advocacy of Irish free trade, and partly on account of his defence of the Catholics in the recent debates. He was, however, at once returned by Lord Rockingham for the borough of Malton. Among those who lost their seats at this election was Gibbon, but he was soon after elected for the little borough of Lymington. Three men, who rose to great though unequal eminence, now for the first time appeared upon the political stage. William Wilberforce entered Parliament for Hull, Richard Brinsley Sheridan for Stafford, and William Pitt, after unsuccessfully canvassing Cambridge, was brought in shortly after the general election by Sir James Lowther for the borough of Appleby. On the whole, the election appears to have slightly improved the position of the Government, and it was still further strengthened by the news which arrived in October of the great victory of Lord Cornwallis over Gates in South Carolina.

[1] See *Correspondence of George III. with Lord North*, ii. 422.

[2] Ibid. pp. 421, 427. According to Lord North, the expenses of the elections secretly paid for by Government in 1779, 1780, and 1781 amounted, when all deductions were made, to about 53,000*l.* The preceding general election had cost them nearly 50,000*l.*, in addition to pensions of the annual value of 1,500*l.* paid for purchasing borough interest. In Bute's Ministry the Secret Service fund had risen suddenly from 58,000*l.* to 82,168*l.* See May's *Constitutional History*, i. 320–324.

The power, and at the same time the determination, of the ministers was shown by their conduct when the new Parliament met, in removing from the Speakership Sir Fletcher Norton, who had lately become obnoxious to the Court, and in raising to that dignity Mr. Cornwall, who already held an office disposable at the pleasure of the Crown; and the popular Bills in the session of 1781 made no progress. Burke's Bill for the regulation of the Civil List establishment was ultimately defeated by 233 to 190, the Bill for excluding contractors from Parliament by 120 to 100, the Bill for disqualifying revenue officers from voting by 133 to 86, the motion of Sir George Savile for referring the county petitions for the redress of grievances to a committee of the whole House by 212 to 135. The Opposition were equally unsuccessful in their attempts to procure a condemnation of the declaration of war against Holland, and of the conduct of Rodney at St. Eustatius; and a motion which was made by Fox for a committee to consider the American War was rejected by 172 to 99. Twelve millions were this year borrowed in a manner which excited the greatest and most justifiable indignation both in the Opposition and in the country. The loan was issued on such terms that the price at once rose from 9 to 11 per cent. above par, and the country was thus compelled to pay nearly a million more than was necessary. This, however, was but one part of the evil. Following the evil precedent set by the ministry of Bute in 1763, a great part of the loan was distributed among the creatures of the ministry, who were thus gratified by an enormous though veiled bribe.[1] In spite, however, of the exposure, the majority continued to support the ministry, and when Parliament was prorogued on July 18, 1781, the Administration did not appear to be seriously shaken.

The fatal blow came from America. The year 1781, which at last gave a decisive turn to the American War, began under circumstances very unfavourable to the American cause, for it opened with by far the most formidable mutiny that had yet appeared in the American army. No troops in that army had shown themselves more courageous, more patient, and more

[1] See May's *Const. Hist.* i. 325, 326.

devoted than the Pennsylvanian line. Its privates and non-commissioned officers consisted chiefly of immigrants from the north of Ireland, and it is remarkable that they had done good service in suppressing the mutiny of Connecticut troops in the previous year. Their pay, however, was a whole year in arrears. They were left nearly naked and exceedingly destitute of provisions, and an ambiguity in the terms of their enlistments gave rise to a fierce dispute with their officers. The soldiers had been enlisted for three years or for the war, and the former period having elapsed they contended that the choice now remained with them of staying or going; while their officers maintained that they were bound for the longer period. Some officers were killed or wounded in attempting to suppress the mutiny, and the non-commissioned officers and privates, numbering about 1,300 men, left the camp at Morristown with their firearms and with six field-pieces, and marched to Princetown, apparently with the intention of proceeding to Philadelphia. General Wayne, who commanded at Morristown, fearing lest they should plunder the inhabitants for subsistence, sent provisions after them. The mutineers kept together in a disciplined body, elected their own temporary officers, committed no depredations, and proclaimed their full loyalty to the American cause, and their readiness, if their grievances were redressed, to return to their old officers. In the weak condition of the American forces such a body, if it had gone over to the English, might have turned the fortunes of the war, and Washington was for some time in extreme alarm lest the contagion should spread through the other regiments. Sir Henry Clinton, the English general, speedily sent confidential messengers to the revolted troops, and endeavoured by large offers to win them to his side. He offered a complete amnesty and British protection, and he promised to pay all the arrears due to them from Congress, without exacting any military service, though he would gladly accept it if it were offered. But the Pennsylvanian line were as steadfast as ever in their hostility to England, and they not only rejected the offers that were made to them but actually arrested the English emissaries, and sent them prisoners to the American camp, where they were tried and hanged as spies. Congress at once opened a

negotiation with the revolted troops, and at length induced them to lay down their arms. A general amnesty, a certain proportion of the pay which was due to them, and, above all, the discharge of those who were prepared to swear that they had only been enlisted for three years, quelled the discontent, and when a purse of 100 guineas was offered to those who had delivered up the British emissaries, they refused to accept it, alleging that they had only done their duty.

The mutiny was quelled with much less difficulty than had been feared, but a great part of the Pennsylvanian troops now disappeared from the American army, and a dangerous precedent was established of wrongs redressed by revolt. A few weeks after the Pennsylvanian outbreak, some of the New Jersey troops, alleging very similar grievances, broke into mutiny and committed several outrages. They were, however, much less numerous, and Washington, having ascertained that his troops could be counted on, acted with great decision. The mutineers were speedily surrounded, and compelled to surrender at discretion, and two of their leaders were executed.

The anxiety, however, caused by these mutinies was soon in a great measure forgotten, as the news arrived of a very brilliant success in the South. It had become more and more the policy of the English to carry the war into the Southern colonies, where a great proportion of the inhabitants were still loyal to the Crown. They had, as we have seen, completely reduced Georgia in 1779, and South Carolina in 1780, but they had hitherto altogether failed in their attempts upon North Carolina, and a simultaneous invasion of that province and of Virginia was their chief plan for the present year. In December 1780 reinforcements under General Leslie, amounting to about 2,000 men, arrived at Charleston from New York, and Cornwallis, without waiting for them to join him, moved towards the frontier. The American forces in North Carolina were commanded by Greene, who had superseded Gates, and who was one of Washington's most favourite soldiers. They are said to have amounted to little more than 2,000 men, a great part of them militia and exceedingly undisciplined. Greene hung about the frontier between the two provinces, and when the invasion became imminent he marched with the

main body of his troops in the direction of Camden, but sent a detachment under Colonel Morgan to make a diversion in South Carolina in a country called the district of Ninety-six. Morgan started with only 540 continental soldiers, but he was soon after joined by 400 or 500 militia, and about 200 came to him in South Carolina itself. It was necessary that this force should be annihilated or expelled before the projected invasion of North Carolina could take place, and Cornwallis accordingly despatched his light troops, amounting to 1,000 or 1,100 men, a large proportion of them being cavalry, accompanied by two field-guns, to accomplish this object. The force was under the command of Colonel Tarleton, and it seemed amply sufficient for the purpose. Morgan fled precipitately—so precipitately that on one occasion the half-cooked dinners of his troops fell into the hands of the English; but finding the English gaining on him, he at length resolved to meet them at a place called Cowpens, about three miles from the frontier of the province. The battle was fought on January 17, 1781. The English most imprudently attacked when they were fatigued by a five hours' march through a difficult and swampy country, and the Americans had, of course, the choice of ground, though it does not appear to have given them any great advantage.[1] On the other hand, the English seem to have been numerically at least equal to their enemies. They were all regular troops encountering an army of which more than half was militia, and they were supported by two cannon. Yet in spite of all these advantages they suffered an utter and ignominious defeat. A more than commonly deadly volley from the American line, a desperate bayonet charge, a sudden panic, and a failure on the part of Tarleton to bring up the reserves at the proper moment, seem to have been the chief incidents of the affair. The two English cannon were taken. More than 600 men were either captured, wounded, or killed, and the English army was thus deprived of the greater part of its light troops at a time when, from the nature of the campaign, such troops were especially needed.

[1] See Stedman, ii. 321–325. This writer is especially valuable for the Carolina campaigns, as he was himself present. See too the accounts in Bancroft and in the *Cornwallis Correspondence*, i. 81–83.

The disaster was completely unexpected by Cornwallis, but he did everything in his power to repair it. Burning a great part of his baggage in order that he might move more quickly, he pursued Morgan and Greene into North Carolina, in hopes of regaining the prisoners that had been taken. Twice the Americans were only saved by the sudden rising of rivers, and on one occasion they marched no less than forty miles in a single day. It is said that the bloody marks of their bare and torn feet might be traced along the frozen ground. They succeeded, however, in escaping into Virginia, and North Carolina being for a short time in the possession of the English, several hundreds of loyalists flocked to the British standard. Greene, however, with large reinforcements from Virginia, again entered the province, and although he could not expel the English, he gave a terrible blow to the loyalist movement. A party of between 200 and 300 loyalists encountered some of the American troops, and having mistaken them for English, they suffered themselves to be surrounded. They speedily demanded quarter, but none was given, and the whole body were cut to pieces. A similarly savage spirit seems to have been generally displayed in this province, whenever the loyalists fell into the hands of the Americans, and it added greatly to the ferocity of the struggle. Cornwallis, who was a very truthful man, speaks of 'the shocking tortures and inhuman murders which are every day committed by the enemy, not only on those who have taken part with us, but on many who refuse to join them.'[1] The predominant sentiment of the province appears to have been originally on the side of the Government, and it probably still was so; but the loyalist party had been broken, scattered, or discouraged by premature insurrections, ruthlessly suppressed. Many were forced by the most savage persecutions to take arms for the Americans; and the consciousness that in the very probable event of the English being unable to hold the province, no quarter could be expected by loyalists, greatly checked enlistments. On March 15, Cornwallis encountered and completely defeated Greene, near Guilford, although the Americans had a great advantage both

[1] Cornwallis, *Correspondence*, i. 73.

in numbers and position, but the victory was purchased by heavy losses, and it led to no important result. The extreme difficulty of obtaining provisions, the impossibility of occupying a vast country with no point in it that could command the rest, the want of boats for navigating the innumerable rivers and creeks that intersected the province, and the prevailing terror which prevented the loyalists from taking arms, obliged Cornwallis to retire, and in April he passed into Virginia, leaving a small force under Lord Rawdon to protect English interests in South Carolina. Much confused and desultory fighting went on in that province, and there was a savage civil war between the Whigs and Tories; but, on the whole, the result was unfavourable to the English, for at the end of the campaign they held nothing in the Carolinas except the country immediately round Charleston.[1]

Almost immediately after the despatch of Leslie from New York, another force of about 1,600 men was sent from the same quarter into Virginia under the command of Arnold, who was now a brigadier-general in the British army, and who was burning to distinguish himself against his former friends. The objects of the English were to destroy the American stores in Virginia, and at the same time to create a diversion in favour of the forces that were operating in the Carolinas. Some small armed vessels sailed up the Chesapeake to co-operate with the invaders, who entered Richmond on January 7, 1781, destroyed great quantities of tobacco and other stores, and spread their devastations over a wide area. They met with scarcely any

[1] In a letter to Reed from the camp near Camden, May 4, 1781, General Greene gives a very confidential account of the state of the Southern provinces. He says:—'The majority is greatly in favour of the enemy's interest now, as great numbers of the Whigs have left the country. . . . The enemy have got a much firmer hold in South Carolina and Georgia than is generally believed. . . . . North Carolina did nothing at all until she saw that we would not let the enemy possess the State quietly. There are a good many Whigs in the State, but I verily believe the Tories are much the most numerous, and the Whigs are so fond of pleasure that they have but little relish for the rugged business of war. . . . . The Whigs will do nothing unless the Tories are made to do equal duty, and this cannot be effected, as the Tories are the stronger party; so neither aid the army. . . . Maryland has given no assistance to this army; not a man has joined us from that State. . . . If our good ally the French cannot afford assistance to these Southern States, in my opinion there will be no opposition on this side Virginia, before fall.'—*Life of Joseph Reed*, ii. 351–353. On the atrocities perpetrated on the loyalists, see the *Cornwallis Correspondence*, vol. i.

opposition, for the bulk of the Virginia militia had been sent to the army of Greene, and although Steuben was in Virginia at the head of a few troops they were much too few for serious resistance. An earnest attempt, however, was made to cut off the communications of Arnold. A considerable French fleet lay at Newport in Rhode Island, but it was blockaded, or at least watched, by a stronger English fleet. On January 22, however, a furious storm greatly injured the British fleet, and although the French admiral did not venture to attack it, he succeeded in sending three ships of war from his own fleet to the Chesapeake for the purpose of blocking up Arnold's little squadron, and cutting off the English communication by water.[1] The enterprise was so far successful that Arnold found it necessary to retire to Portsmouth, where he entrenched himself beyond the reach of the French ships, which made a few prizes and returned safely to Newport.

Washington viewed with much alarm the presence of this daring soldier in Virginia, and he determined, with the assistance of the French, to make a serious effort to capture or annihilate his whole force. Lafayette was placed at the head of 1,200 men drawn from the New England and New Jersey lines, and was directed to attempt the capture, while the French fleet, carrying some 1,100 French soldiers, succeeded in sailing from Newport to the Chesapeake in order to co-operate with him. The enterprise appeared very promising; and success, in addition to its great military and political importance, would have been extremely gratifying to the vindictive feelings of the Americans. Jefferson, the Governor of Virginia, offered a reward of 5,000 guineas for the capture of Arnold. Washington instructed Lafayette to execute the traitor ignominiously if he was taken, and he greatly applauded Lafayette's refusal to accept a letter from him when Arnold for a short time was commanding the British.[2] But the fatality which had as yet invariably hung over the combined operations of the French and Americans still continued. The French were not sufficiently prompt in availing themselves of the moments when several of the English ships were disabled by

[1] Washington's *Works*, vii. 403, 404.

[2] Ibid. vii. 419; viii. 6, 7. *Mémoires de Lafayette.*

the storm. The English fleet followed them to the Chesapeake, defeated them, compelled them to return to Newport, and, by establishing communications with Arnold, secured his position; and, under the protection of the British fleet, 2,000 English soldiers, commanded by General Phillips, arrived in the Chesapeake on March 26, 1781, to make Virginia the chief theatre of the war.

It is somewhat remarkable how very little at this time was done by Washington himself. His eminent wisdom in counsel and administration was never more apparent than in the latter period of the war; but his great military reputation appears to me to rest almost entirely on his earlier campaigns. He refused to take command of the forces in Virginia, being extremely anxious to effect another enterprise which would, as he believed, terminate the war. This enterprise was the capture of New York, which was left very weak by the large detachments that had been successively sent to the Southern States. For this, however, as for almost everything else, the Americans were absolutely dependent on the co-operation of the French, who do not appear to have looked with much favour on the proposal.[1] In February, 1781, Washington agreed with Count Rochambeau that it might be successfully carried out if the French could attain a naval superiority in America, and if the joint French and American army numbered 30,000 men, or double the force of the enemy in New York and its dependencies.[2] In April the English forces at New York had been lowered by successive detachments to about 7,000 regular troops.[3] In the middle of May a new detachment of from 1,500 to 2,000 men left New York for Virginia,[4] and at the end of that month Washington expressed himself ready to make the attempt if the battalions from New Hampshire to New Jersey inclusive, which were 'still considerably deficient,' were completed, and if he could obtain the assistance of 4,000 French soldiers.[5]

The condition of the war, however, was at this time very singular, for while it was quite evident that it had come to its last stage, it was still curiously uncertain in what way it would terminate. The whole English army in America was

[1] Washington's *Works*, viii. 24. [2] Ibid. viii. 25.
[3] Ibid. vii. 407. [4] Ibid. p. 63. [5] Ibid. p. 55.

so small, so scattered, so imperfectly supported by the inhabitants, and situated in districts where supplies were so difficult to obtain, that a great part of it would be inevitably compelled to surrender if the Americans could obtain a very small reinforcement of regular French troops, and, above all, if the French could attain a naval supremacy sufficiently decisive to cut off communications. Already the French navy on the coasts equalled the English in numbers, and it was only by better seamanship that the victory off the Chesapeake had been won. With France, Spain, and Holland in arms against her, with India in a blaze of war, and with the northern powers formed into a menacing, if not hostile league, it seemed scarcely possible that England should be able to reinforce either her army or her navy to such an extent as to turn the fortunes of the war, and although there were many loyalists in America, it had become quite evident that these could not be relied on to suppress the rebellion. On the other hand, America was in the very last stage of exhaustion and decrepitude, and she depended for everything on her ally. The first condition of success was a naval supremacy, but this rested entirely with France. Nearly every ship of war the Americans possessed had by this time been captured or sunk.[1] On land it was abundantly proved that the English could neither be driven from South Carolina nor from Virginia, nor from New York, without the assistance of French soldiers, and the American army itself was only held together by the constant support and assistance of France. The Americans were compelled to appeal to her for gunpowder, for cannon, for small arms and most military munitions, for clothes, for pay,[2] and every delay in French supplies left them in a state of the most miserable destitution. General Greene described his army in the Carolinas in the midst of winter as 'literally naked.'[3] Lafayette was only able to provide his troops in Virginia with shirts, and shoes, and hats, by pledging his private fortune, and in the course of the war he spent in the American cause not only his large annual income but also 700,000 francs of his capital.[4] 'There is not,' wrote the American General Clinton from Albany in April, '(independent

[1] Hildreth, iii. 404.
[2] Washington's *Works*, vii. 407; viii. 44.
[3] Ibid. vii. 355.
[4] *Mémoires de Lafayette*, i. 183, 297.

of Fort Schuyler,) three days' provision in the whole department.'[1] Some of the troops had been unpaid for nearly sixteen months. Some of the most considerable battalions were dwindling by desertion into mere skeletons, and Washington complained that he could scarcely 'provide a garrison for Westpoint or feed the men that are there.'[2] 'From the post of Saratoga to that of Dobbs' Ferry,' he wrote in May, 'I believe there is not at this moment one day's supply of meat for the army on hand . . . Unless a capital change takes place soon, it will be impossible for me to maintain our posts, and keep the army from dispersing.'[3] 'All the business of transportation or a great part of it being done by military impress, we are daily and hourly oppressing the people, souring their tempers, and alienating their affections. . . . Scarce any State in the Union has at this hour an eighth part of its quota in the field . . . Instead of having the prospect of a glorious offensive campaign before us, we have a bewildered and gloomy defensive one, unless we should receive a powerful aid of ships, land troops, and money from our generous allies.'[4]

The bankruptcy of last year had almost completed the ruin, and Laurens was sent to France with the most urgent entreaties for a new loan. 'Be assured, my dear Laurens,' wrote Washington, 'day does not follow night more certainly than it brings with it some additional proof of the impracticability of carrying on the war without the aids you are directed to solicit. As an honest and candid man, as a man whose all depends on the final and happy termination of the present contest, I assert this, while I give it decisively as my opinion that without a foreign loan our present force, which is but the remnant of an army, cannot be kept together this campaign; much less will it be increased and in readiness for another. . . . If France delays a timely and powerful aid in the critical posture of our affairs, it will avail us nothing should she attempt it hereafter. . . . We cannot transport the provisions from the

[1] Ramsay, ii. 222.

[2] Washington's *Works*, vii. 463; viii. 3, 22, 23.

[3] Ibid. viii. 36, 38, 39.

[4] Ibid. 31, 32. So in April 1781, Count Fersen wrote:—'Ce pays-ci n'est pas en état de soutenir une guerre plus longue. Il est ruiné, plus d'argent, plus d'hommes; si la France ne les secourt vigoureusement, ils seront obligés de faire la paix.'—*Lettres du Comte de Fersen*, i. 52, 53.

States in which they are assessed, to the army, because we cannot pay the teamsters, who will no longer work for certificates. . . . Our troops are approaching fast to nakedness, and we have nothing to clothe them with; our hospitals are without medicines, and our sick without nutriment except such as well men eat. . . . In a word, we are at the end of our tether, and now or never our deliverance must come. . . . If it could be made to comport with the general plan of the war to keep a superior fleet always in these seas, and France would put us in a condition to be active by advancing us money, the ruin of the enemy's schemes would then be certain.'[1] 'Our present situation,' he wrote emphatically to Franklin, 'makes one of two things essential to us; a peace, or the most vigorous aid of our allies, particularly in the article of money.'[2]

If this language be true, it is evident that even at the last stage of the war it was possible that the independence of America might have collapsed. Nor were the counsels of France by any means unanimous. Even Vergennes was dismayed at the constant demands of America,[3] sceptical about her necessities, irritated at the tone which had recently been adopted by Adams, still more irritated by the manifest approval of that tone by the popular politicians in America. With the exception of Franklin and Washington, he appears to have had very little confidence in American public men; and he believed, not wholly without reason, that much of the distress which was described was due to the want of unity and patriotism of the Americans themselves, and especially to the fact that the Congress had no coercive powers over the several States. Lafayette, however, strongly supported the representations of Franklin, and the French minister at length resolved upon an act of generosity which was sufficient to enable the Americans to continue the war. Besides a loan of four millions of livres to take up bills already drawn upon Franklin, the French King granted six millions of livres as a free gift, and also agreed to guarantee in Holland an American loan to the amount of ten millions more.

[1] Washington's *Works*, viii. 7, 8. See, too, vii. 370, 371.

[2] American *Diplomatic Correspondence*, iii. 188.

[3] See Washington's *Works*, vii. 175, 176, 379, 380. American *Diplomatic Correspondence*, ix. 199, *seq.*

This timely assistance was of vital importance. Vergennes, indeed, declared that it must be the last, and he complained bitterly that Laurens rather exacted than demanded help; that he was so displeased at not obtaining all he wanted that he treated the French ministers in a manner bordering upon insolence, and that they had wholly failed in awakening in him any sentiment of gratitude.[1]

We must now return to the fortunes of the war in Virginia. When General Phillips arrived in that province towards the close of March 1781 with 2,000 men from New York, he assumed the command of all British forces in Virginia by virtue of his seniority to Arnold. Lafayette was hastily recalled to the province from Maryland, and he was joined by some Virginian militia under Steuben, but their joint force was entirely unable to oppose, or even very seriously to molest, the English, who made it their policy to destroy all stores, and break up all centres of resistance over a very large area. Virginia had furnished the chief materials for resistance to the English in the Carolinas. It was one of the provinces where the popular sentiment was most hostile, and it was so important from its size, wealth, and geographical position that its complete reduction might almost terminate the struggle, and would at least put an end to all further serious resistance in the Southern colonies. It was plain that, if the contest ended in favour of the English, it would be by the complete exhaustion of the Americans, and by carrying a war of devastation into Virginia this end was most likely to be attained. The easy navigation of the river James and its dependencies greatly facilitated the efforts of the British, and they also seized all the best horses of the province, and sent parties to scour the country in many directions. Thousands of hogsheads of tobacco—a great part of them destined for France; many ships; long lines of docks and warehouses; barracks, and many other public buildings; vast accumulations of food and of naval and military stores, were captured or burnt without difficulty and almost without resistance. Clinton expressed his belief that with a proper reinforcement and a naval superiority during the next campaign a mortal stab could speedily be given to the rebellion, and

[1] See the letters of Vergennes in Washington's *Works*, viii. 525, 528.

General Phillips agreed with him, that the year 1781 would probably witness its complete subjugation.[1] On May 13, Phillips died of a malignant fever, and he was succeeded in command by Arnold; but Arnold only held the position for a few days. Cornwallis, abandoning his enterprise in the Carolinas, marched in less than a month from Wilmington in North Carolina to Petersburgh in Virginia, and arrived at the latter place on May 20. He at once took the command, and Arnold was soon after recalled to New York.

Virginia had now become the chief centre of English operations in America, for Cornwallis found himself at the head of not less than 7,000 troops. He continued for some time to pursue the policy of his predecessors, and by dividing his forces he carried ruin over a great part of the province. There was as yet no serious resistance. All the more important towns of Virginia—Halifax, Petersburgh, Richmond, Charlottesville, Portsmouth, Williamsburgh—were entered by the English. The Virginian Assembly was put to flight, and some of its members were taken. Some English soldiers—the remains of the army detained in violation of the Convention of Saratoga—were hastily carried out of the province to Winchester,[2] and it was computed that in a short time the damage done by the English might be valued at not less than ten millions of dollars.[3]

Lafayette, who commanded the American forces in the province, appears to have shown skill and prudence in baffling the attempts of Cornwallis to bring on a general action; but his forces were far too weak to enable him seriously to obstruct the English. Gradually, however, they increased by new levies of Virginian militia, and especially by the arrival in June of about 1,000 men from Pennsylvania under General Wayne. The American force then consisted of 2,000 regular troops, and 3,200 militia. On July 6, Lafayette attacked the English army as it was crossing the James river, but after a severe engagement he was beaten off with heavy loss.[4] The American forces, however, had now become so powerful that it was no longer possible for the English to detach marauding parties, and Cornwallis resolved to concentrate his army at some strong

[1] Clinton's *Narrative*, p. 6–7.
[2] Hildreth, iii. 356.
[3] Ibid. 358.
[4] *Mémoires de Lafayette*, i. 506.

point by the water-side where it might be in communication with the English fleet, and from whence it might, if necessary, be sent either to New York or to the South. This step appeared the more essential as it was known that a French fleet under De Grasse was on its way to America, and it was believed that a combined French and American attack upon New York was impending. An intercepted letter of Washington showed that such a design was in contemplation,[1] and Sir Henry Clinton, who commanded at New York, called upon Cornwallis to send some of his forces for its defence; but the order was afterwards countermanded. Between 2,000 and 3,000 German troops had arrived at New York and strengthened the garrison. There was at this time some dissension between Cornwallis and Clinton, and some ambiguity and vacillation about the orders which Clinton sent to Cornwallis, which afterwards gave rise to controversy; but their final purport was that Cornwallis was to fortify some post on the neck of land near the mouth of the Chesapeake, so as to be able to afford protection to the English fleet which was destined to co-operate with him, and Yorktown was indicated as peculiarly fitted for that purpose. Yorktown and Gloucester, two opposite peninsulas running out into the river, were accordingly selected. They were occupied on August 1, 1781, and by the 22nd the whole British army in Virginia, consisting of rather more than 7,000 men, was concentrated there.

The position of the British was not a very strong one, and it was only possible to fortify it hastily; but, as it lay between the York and James rivers, it commanded a large sheet of water, and could afford sufficient protection to British ships. It was a position which could be securely held against any force which was at this time in Virginia, and it was not likely to be seriously endangered as long as the English had an ascendency on the sea. On the other hand, if this condition failed; if an enemy commanded the waters and could beleaguer the narrow peninsulas, the situation was absolutely hopeless, for all possibility of retreat could be easily cut off.

We must now turn to two or three operations which took place in other quarters. On July 6 Washington was joined

[1] Washington's *Works*, viii. 60.

at White Plains by the small French army under Count de Rochambeau, who had long been confined in Rhode Island, and about a fortnight later the combined armies marched in the direction of Long Island. Although an attack was at first contemplated, it was found to be impracticable, and the Americans confined themselves to reconnoitring the position of the English.[1] The expedition had the effect of strengthening Clinton in his persuasion that a serious attack on New York was contemplated. But in truth, the American plan was changed, and it was resolved to mass all available forces in Virginia, and, with the assistance of the approaching French fleet and army, to crush the army of Cornwallis. Washington and Rochambeau succeeded without attracting notice in withdrawing the bulk of their army from the camp. They marched to Philadelphia, where they arrived on August 30, and proceeded at once to Virginia.

On the very day on which Washington entered Philadelphia the long-expected fleet of De Grasse arrived in the Chesapeake. Contrary to all expectation, it contained not less than twenty-eight ships of the line, and when combined with the French squadron already in Rhode Island, it gave France an indisputable and overwhelming ascendency in the American waters. Sir Samuel Hood had indeed been dispatched by Rodney to reinforce the English navy in America, and he arrived at Sandy Hook on August 28; but Rodney had greatly underrated the probable strength of the French fleet, and the squadron of Hood only contained fourteen ships of the line. Arriving with this overwhelming force, De Grasse at once proceeded to block up York River, to move the bulk of his fleet into a secure and protected bay, and to land 3,200 French soldiers whom he had brought from the West Indies, and who made the army of Lafayette superior to that of Cornwallis. Admiral Graves, who now commanded the whole British navy in America, attempted to relieve Cornwallis, and on September 5 he fought an indecisive battle, before the French squadron from Rhode Island had arrived; but, though some ships on both sides were severely damaged, he was unable to draw De Grasse from his protected situation, and he at length returned to New York.

[1] Stedman, ii. 397.

The Rhode Island squadron arrived in the Chesapeake and made the naval ascendency of the French overwhelming, and at the same time it brought great quantities of heavy ordnance and other materials for the siege. The net was closing tightly around the unhappy English general, and a new army under Washington and Rochambeau was on the march.

It was impossible for Clinton to relieve Cornwallis, but he attempted by a diversion to recall a part of the army which had gone to Virginia. Benedict Arnold was sent in the beginning of September to attack the town of New London, in Connecticut, which was a great centre of privateering and of military stores, and was defended by Fort Trumbull and Fort Griswold, the latter a place of considerable strength. It was captured after some hard fighting, and in Fort Griswold the exasperated soldiers are said for some time to have given no quarter, and to have killed or wounded more than 100 Americans after they had declared themselves ready to surrender. Arnold was at this time at the opposite side of the river, and the English officer commanding the assailing body either could not or would not restrain his soldiers till all but about seventy of the garrison had been killed or wounded. Ten or twelve of the enemies' ships and great quantities of naval stores were burnt; the fire, contrary to the intention of Arnold, communicated itself to the civil buildings, and the whole town was destroyed. This was the last achievement of Arnold in America, and very soon after he sailed for England.[1]

The destruction of New London had, however, no effect upon the fortunes of the war. Washington steadily pursued his march, and the principal obstacles he encountered were financial ones. A great part of his troops, he complained, had been long unpaid. The march southwards was unpopular with the Northern soldiers; but 'a douceur of a little hard money would put them in a proper temper.'[2] If the Americans had been left to themselves, they might have been unable to maintain themselves, but French assistance supported them at every step. Count Rochambeau advanced on his own authority 20,000 dollars, and on August 25 Laurens arrived from Europe

[1] Stedman, Bancroft. See, too, the dispatches of General Heath in Arnold's *Life of Arnold*.

[2] Washington, viii. 149–150.

bringing with him a great part of the King of France's gift to the States. A great number of transports were collected, and on September 14 the combined army of Washington and Rochambeau arrived at Williamsburgh, in Virginia, and a few days later they joined Lafayette in the investiture of Yorktown. The position of Cornwallis was now absolutely hopeless. Shut in within a narrow promontory, his army of about 7,000 men was besieged by an army of more than 16,000, 7,000 of whom were regular French soldiers, while a fleet far more powerful than any other in American waters commanded every approach by sea. On September 25, Washington wrote to De Grasse that the success of the combined French and American attack was 'as certain as any military operations can be rendered by a decisive superiority of strength and means.'[1] Before long the feeble fortifications of Yorktown became completely untenable, and on October 19, 1781, Cornwallis was obliged to surrender, with his whole army. The soldiers became the prisoners of the Americans, the seamen of the French.

This calamity virtually terminated the American war. For the second time a whole British army was compelled to surrender. The power of England in Virginia was destroyed; her power in the more Southern States could not now be long maintained. New York alone contained a considerable British force, and in the sixth year of the war, and with so great a confederation in opposition to England, it seemed impossible that the disaster could ever be retrieved. Whether, if Rodney had been less occupied with the sale of the goods of St. Eustatius, he might not have prevented the naval ascendency in America passing out of the English hands; whether Cornwallis might not, before the arrival of Washington and his army, have extricated himself from his position, and cut his way into North Carolina; whether Clinton, at New York, did everything possible to relieve him, are points which have been fiercely contested by military critics. It was noticed, however, that while in nearly all the battles in the North in which Howe commanded, the English had a great advantage in numbers, in nearly all the

[1] Washington's *Works*, viii. 164.

battles in the South the English under Cornwallis and Rawdon were greatly outnumbered.[1] Cornwallis almost alone among the British commanders in America showed himself a really efficient and energetic general, and in the last scene his position was beyond recovery. On the day previous to the surrender the rank and file of the garrison in Yorktown and Gloucester were only 5,950 men, and so many were sick and wounded that not more than 4,017 were reported fit for duty.[2] When the English fleet returned to New York, Clinton resolved to make a desperate attempt to relieve Cornwallis, and the arrival of a few additional ships from England and the West Indies made the attempt not absolutely hopeless. He embarked with 7,000 men, but some time elapsed before the fleet could be fitted out, and it was only on October 19 that it got clear of the bay. It arrived off Cape Virginia on the 24th, learnt there the news of the capitulation, and soon returned unmolested to New York. In the capitulation Cornwallis had endeavoured without success to obtain from Washington an article exempting the loyalists in Yorktown from punishment, but he was allowed to send to New York a ship of war containing as many soldiers as he should think fit, on condition that they should be accounted for in any future exchange, and he was thus enabled to save his American followers from the vengeance of their countrymen.

It was on November 25, 1781, only two days before the meeting of Parliament, that the fatal news of the surrender of Yorktown arrived in England. Lord North, who had long looked with utter despondency on the war, saw at once that his worst fears were realised; and when he heard the intelligence from Lord George Germaine, his accustomed calm forsook him, and he paced the room in an agony of distress, exclaiming—'Oh God, it is all over!' The King, however, never for a moment flinched. He saw, indeed, that an attempt to carry on a continental war in America must be relinquished; but he was perfectly resolved that New York and Charleston, or at least the former, should be retained, and that American independence should even now be withheld. 'The getting a peace

[1] Stedman, ii. 415. [2] Ibid. 414.

at the expense of a separation from America,' he wrote, 'is a step to which no difficulties shall ever get me to be, in the smallest degree, an instrument.'[1] The speech at the opening of Parliament, though announcing the catastrophe, contained no intimation of surrender; but the conviction of the utter hopelessness of continuing the war in America had sunk deeply into the minds of the more independent members, and the great majority which had so long ruled England crumbled speedily away. Burke and Fox, in several speeches of extraordinary eloquence and extraordinary virulence, assailed the whole conduct of the war, and they were powerfully supported by William Pitt, the son of the great Lord Chatham, who was already rapidly rising to a foremost place. The adjournment at this very critical time for the Christmas holidays, on December 21, was much objected to; but before that date it had become evident that the Cabinet was profoundly divided, that the resolution of North was wholly shattered, and that about twenty of the country gentry had already passed from the Government to the Opposition.

Nothing but a brilliant military triumph could have saved the Ministry, but not one gleam of success relieved the dreary monotony of disaster which clouded its closing days. Admiral Kempenfeldt, who had been sent to intercept the French fleet from Brest, found that the information of the Admiralty about the number of the enemy was wholly erroneous, and he was obliged to avoid a hopeless contest by retreat. St. Eustatius was taken at the close of 1781 by the Marquis de Bouillé with some troops of Count Dallas' Irish brigade. In January, 1782, the Dutch settlements of Demerara and Essequibo, which the English had taken, were recaptured by the French. In February the long siege of Minorca terminated, and that important island passed once more under Spanish rule. In the same month, after several vicissitudes of fortune, and in spite of the great gallantry of its defenders and of a small English fleet under Sir Samuel Hood, the rich island of St. Christopher was taken by the French. De Bouillé had in the previous month landed 8,000 men upon it, and he was supported by the great French fleet under De Grasse. The islands of Nevis and Montserrat at once shared the fate of

[1] *Correspondence of George III. with Lord North*, ii. 398.

St. Christopher; and of all the great English possessions in the West Indies, nothing now remained except Jamaica, Barbadoes, and Antigua. Eight islands, it was said, as well as thirteen colonies, had been lost by the Ministry of North.

Great public meetings in London and Westminster now strengthened the Opposition. General Carleton was appointed Commander-in-Chief in America in the room of Clinton, and Lord George Germaine, the Secretary of War, who was at enmity with Carleton, resigned his office, and was replaced by Welbore Ellis. At the special desire of the King, Germaine was raised to the peerage as Viscount Sackville, and his promotion more than counterbalanced the popularity of his removal. Several peers, recalling the sentence of the court-martial which sat upon him twenty-three years before, after the battle of Minden, inveighed against his peerage as an insult to the House of Lords. In the Commons censures of the Government in many forms and on many topics were eagerly pressed on, and parliamentary language had seldom been so virulent. It was soon evident that the victory belonged to the Opposition. Resolutions censuring the whole administration of the navy were repelled by majorities of 22 and of 19; but an address, moved by Conway, petitioning the King to stop the American war, was only rejected by a single vote, and the Government were obliged to accept a resolution asserting the hopelessness of reducing America. At last, on March 20, North anticipated a motion for his dismissal, by announcing his resignation; and in a speech of much dignity and pathos, returned thanks to the House which had supported him so long.

'At last,' wrote the King, 'the fatal day has come.' His feelings were clearly shown in a letter in which, as late as March 19, he declared that his 'sentiment of honour' would not permit him 'to send for any of the leaders of Opposition and personally treat with them,'[1] and for a short time he is said to have gravely contemplated abdicating the throne and returning to Hanover. Attempts were made to induce Shelburne, and afterwards Gower, to construct a Government, but they speedily failed. It was useless to dissolve Parliament, for the country was f... more hostile to the fallen ministry than the legislature,

[1] *Correspondence of George III. with Lord North*, ii. 415–416.

and it had become evident that it was now only possible to govern by one party and by one policy. The King reluctantly bowed his head to the yoke. He showed indeed his personal animosity by refusing to negotiate with Rockingham except through the intervention of Shelburne, but he accepted Rockingham as his minister; the Whig party once more rose to power, and their avowed task was to terminate the war by recognising the Independence of America.

CHAPTER XV.

IT was wittily said by Lord North that the late Opposition had often accused him of issuing lying 'Gazettes,' but that he had certainly never issued any 'Gazette' which was half so false as that in which his successors announced their installation in office; for it consisted of a long succession of paragraphs, each of them announcing a new Whig appointment, and each of them beginning with the words, 'His Majesty has been *pleased* to appoint.' The letters of the King show, indeed, the feeling of despair and humiliation with which he accepted the new Ministry, and how completely he regarded it as a triumph over himself. The independence of America he believed to be the ruin of England, and his new ministers were pledged to acknowledge it, and some of them, in the opinion of the King, were largely responsible for the insurrection that had effected it. The emancipation of the royal power from ministerial thraldom, the restoration of the system of divided administrations, and the maintenance in Parliament of a King's party sufficiently powerful to control the march of affairs, had been the objects at which the King for twenty years had been steadily aiming. It was the avowed object of the Whig party to defeat them, and they were pledged to an extensive measure of economical reform, especially intended to restrict the Court influence in Parliament. Personally as well as politically several of the new ministers were most obnoxious to the King. For Rockingham he had mingled feelings of contempt and dislike. The Duke of Richmond had, he considered, insulted him by abstaining almost wholly for several years from his Court.[1] Fox he regarded with utter abhorrence as a man without either private morals or public principles, and he seems to have very imper-

[1] *Correspondence of George III. with Lord North*, ii. 327.

fectly recognised his great powers. There was, however, now no escape, unless the King chose to carry out his threat of retiring to Hanover. The Tory party was for the present hopelessly shattered and discredited by the victory of America; the country gentry had abandoned it, and with it fell the whole system of government which had been so laboriously built up.

In some negotiations with Rockingham which the King had allowed Thurlow to make a few days before the resignation of North, it had been suggested that Rockingham should accept the task of forming an administration, and settle the terms afterwards. Rockingham, however, had positively refused, and stated that he would only come into office on condition that he was authorised by the King to make peace with America on the basis of her independence; to introduce measures disqualifying contractors from sitting in Parliament, and revenue officers from voting at elections, and to carry out a plan of rigid economy. When North had actually resigned, the King obstinately adhered to his determination of holding no personal intercourse with the leader of the Whigs till the ministry was actually formed, and he authorised Shelburne to communicate as his agent with Rockingham. The first impulse of Rockingham was to decline office on the ground that, if the King intended to place him at the head of his treasury, he must at least show him the very ordinary measure of confidence of admitting him at once into his closet. Fox, however, and Richmond, who were probably anxious to efface the impression of their former violence, urged Rockingham to waive the point and accept the office of prime minister under a prince who had so manifestly shown his preference for another member of the intended government. He consented also that Thurlow should remain Chancellor; and the great abilities and influence in the House of Lords of that remarkable man were henceforth entirely at the command of the King. For the rest the government was a Whig government; but, like every other government of that kind, it was necessarily formed out of a fusion of two very dissimilar bodies. By far the larger was that which followed Rockingham, and which received its chief inspiration from Burke. The smaller body consisted of the old followers of Chatham, who had quarrelled with the main organisation of the Whigs, who

always leaned to a divided and eclectic government, but who in some respects were more decided advocates of popular measures than the followers of Rockingham. Of this body Shelburne was now the chief. About half the ministry consisted of followers of Rockingham and the other half either of followers of Shelburne or of statesmen who had at least isolated themselves from the Whig connection. The system of having three secretaries of state was now abolished and replaced by the present system of two secretaries of state, one for the Foreign and the other for the Home and Colonial Departments. The first of these offices was given to Fox and the second to Shelburne. Rockingham was First Lord of the Treasury. Lord John Cavendish, who was one of the most popular and respected of his followers, was made Chancellor of the Exchequer; Keppel was First Lord of the Admiralty; Camden, President of the Council; Grafton, Lord Privy Seal; Richmond, Master of the Ordnance; and Conway, Commander-in-Chief. Burke, though he was in truth the greatest man in the ministry, though his intellect was in some respects peculiarly adapted for weighing principles and arguments, and though he was especially entrusted with the great measure of economical reform which was one of the chief promises of the new ministry, was only made Paymaster of the Forces, without a seat in the Cabinet. He did not belong to the charmed circle of hereditary legislators, and his too frequent exhibitions of violence and intemperance in debate, as well as the number of poor relations who hung about him, had somewhat wrecked his influence.

The prospects of the ministry were not favourable, and its best hope lay in the extreme depression of its opponents. The King was sure to be bitterly and persistently hostile, and the Crown influence, though for a time weakened, was still enormously great in both Houses of Parliament, and it was likely to be skilfully used. The King was now a very different man from what he had been during the ministry of Bute. Thoroughly acquainted with the details of public business, and with the characters and weaknesses of public men, with great courage, great power of dissimulation, and indomitable perseverance, he had much skill in bending the wills of others to his own, and in dividing and undermining where he could not

directly overthrow. Shelburne is reported to have said of him that 'he possessed one art beyond any man he had ever known; for that by the familiarity of his intercourse he obtained your confidence, procured from you your opinion of different public characters, and then availed himself of this knowledge to sow dissension.'[1] Rockingham, who, without any shining talents, possessed to an unusual degree the art of reconciling jarring elements, and conciliating diverging statesmen, was completely shattered in health. The nation was now prepared to acknowledge the independence of America, and the first task of the ministry was to negotiate a peace; but under existing circumstances a peace must necessarily be a humiliating one, and the prospect of signing it could hardly be agreeable to statesmen who remembered the fate of the ministries which negotiated the Peace of Utrecht and the Peace of Paris. Nor was the prospect much more favourable when the American question was terminated. This question had for several years been the main guiding and distinguishing question of English politics, and once it was removed it was extremely difficult to predict what new question would arise, or into what new combinations English parties would crystallise. The question of parliamentary reform could not be long delayed, and it was difficult to see how any harmony could be preserved between Richmond, who would have gone as far as universal suffrage, and Burke, and apparently Rockingham, who were hostile to any extension of the franchise, and to any organic change in the constitution of parliament. The proposed measure of economical reform, though it was likely greatly to purify English politics, must necessarily wound the interests and excite the exasperation of great classes of politicians. The object of Burke and Rockingham was so to maintain the unity and homogeneity of the Cabinet that it might dictate its policy to the King, and to elaborate carefully the organisation of parties. Shelburne, on the other hand, belonged to the following of Chatham, who had made it a main object to disjoint and pulverise parties, and to govern with men chosen from the most various connections.

Shortly before the change of government, the King had

[1] Nicholl's *Recollections of George III.*, i. 389.

invited Shelburne to form a ministry. Shelburne, finding this to be impossible, declined the task, and recommended the King to send for Rockingham; but he does not appear to have at once disclosed this episode to his future colleagues. The marked way in which, in the subsequent negotiations, the King selected Shelburne as his representative, and conducted through his instrumentality the negotiations with his future prime minister, contributed very much to aggravate the jealousy and dislike with which a large section of the ministry regarded Shelburne. The King was accustomed to correspond with him much more intimately than with any other minister, and he showed a peculiar alacrity in granting any favours he demanded. Without giving any previous intimation of his intentions to Rockingham, Shelburne obtained for Dunning the Chancellorship of the Duchy of Lancaster for life, with a seat in the Cabinet, and an income of 4,000*l.* a year, and he was thus enabled to command in the Cabinet a number of votes equal to those of the followers of Rockingham. Barré became Treasurer of the Navy, and Shelburne, with the assent of Rockingham, secured for him a pension of 3,200*l.* a year from the time he quitted office. His claims on the party were no doubt very great, for he had been deprived of posts to the value of 1,500*l.* a year on account of his vote against general warrants in 1763, and he had afterwards been led by the hostility of those who were in power to retire from the army. At the same time this large pension obtained in a time of severe distress by a ministry which was proposing to restrain the sovereign from granting a greater pension than 300*l.* a year, was exceedingly unpopular, and when it was disclosed after the death of Rockingham it excited much discussion in Parliament.[1] Fox, in one of his first interviews with Shelburne, gave the keynote of the situation when he said that he saw that the administration was to consist of two parts, one belonging to the King and the other to the public.

The position which Shelburne occupies in the political history of the reign of George III. is a very singular one, and it appears at first sight not easy to reconcile the judgments of his contemporaries with the facts of his life. He was confessedly among

[1] See *Parl. Hist.*, xxiii. 153, 155.

the four or five best debaters in the House of Lords, and his administrative career, if it was not marked by any extraordinary brilliancy, was at least in most respects very creditable. It is true indeed that his first appearance in public life as a satellite of Bute, his violent and undignified quarrel with the elder Fox, the accusation of falsehood which was then brought against him, and the furious invective which his close follower Barré had delivered against Pitt after that minister had resigned office, had thrown some considerable shade over his political reputation, but his subsequent policy appeared both popular and consistent. During the long illness of Chatham, Shelburne had been his chief representative in the Cabinet; and without being admitted to any very close intimacy, Chatham had given him an unusual amount of his confidence. In the case of Wilkes, in the case of the prosecuted printers, in nearly every phase of the American quarrel, in nearly every discussion about religious liberty, parliamentary reform, and economical reform, Shelburne showed himself steadily liberal; and Bentham, who knew him well, said of him that 'he was the only minister he had ever heard of who did not fear the people.' He was also one of the earliest, ablest, and most earnest of English freetraders, and no English statesman of his time showed himself so fully imbued with the commercial views of Adam Smith. He was one of the few politicians who looked forward to a cordial French alliance, and when, after a long period of eclipse, he returned to active public life in the closing years of the century, he exerted all his powers to prevent the war with France. His private life was eminently respectable. He bore a long exclusion from office with great dignity and calm, and no part of his public career appears to have been influenced by any sordid desire of emolument, title, or place.

Yet, with all these claims to respect, Shelburne was one of the most unpopular statesmen of his time, and he never succeeded in throwing off the imputation of an incurable insincerity. Franklin, who was his warm friend, and who admired him greatly, gives him as a proof of the capital importance to a public man of a reputation for perfect straightforwardness. 'Lord Shelburne,' he says, 'has unfortunately the character of being insincere, and it has hurt much his usefulness; though in all my concerns

with him I never saw any instance of that kind.' Few things are more curious than the number and intensity of the hostile judgments that were pronounced on him by men of the most opposite politics and characters, by men who scarcely agreed on any other point. Lord Holland, enraged at the quarrel about the paymastership, pronounced him to be 'an infamous liar.' The King, who used him so largely, and who at one period made him the chief instrument of his policy, described him as 'a worthless man who has broken faith with me,' and was accustomed to speak of him as 'the Jesuit of Berkeley Square.' Horace Walpole, without having, as far as can be traced, any personal quarrel with him, always spoke of him with unmeasured abhorrence. 'His falsehood,' he once wrote, 'was so constant and notorious, that it was rather his profession than his instrument. . . . He was so well known, that he could only deceive by speaking truth. . . . He not only had no principles, but was ready for any crime that suited his plans. . . . A Cataline and a Borgia were his models in an age when half their wickedness would have suited his purposes better.' Burke, although he had once been on friendly terms with him, and although he had asked favours from him, had begun to distrust his character long before the quarrel of 1782,[1] and after that event his language about him expressed the most extravagant detestation. 'If Lord Shelburne is not a Cataline or a Borgia,' he said, in one of his speeches, 'it must not be ascribed to anything but his understanding.' The same personal dislike of Shelburne was shown by nearly all the leading members of the Rockingham party; by Fox, Sheridan, Lord John Cavendish, and Sir Gilbert Elliot; it was shared with little modification by Grafton and Camden, by North, Loughborough, and the Bedfords; and as late as 1792 Lord Holland

[1] There is a very curious letter of Burke's, undated, but evidently written long before 1782, to his cousin, Mr. Nagle, who had made an application to Shelburne for some favour, without success. Burke says: 'Between ourselves, and I would not have it go further; there are, I believe, few who can do less with Lord Shelburne than myself. He had formerly at several times professed much friendship to me; but whenever I came to try the ground, let the matter have been never so trifling, I always found it to fail under me. It is indeed long since he has made even professions. With many eminent qualities, he has some singularities in his character. He is suspicious and whimsical, and perhaps if I stood better with him than I do, my recommendation would not have the greatest weight in the world.'—Prior's *Life of Burke*, ii. 526.

mentions that the leading Whigs had, with very few exceptions, 'not only a distrust, but an unwarrantable hatred of his very name.'[1]

Political injuries and differences will, no doubt, partly account for these antipathies; but the conduct of the younger Pitt in 1783 is much less easily explained. Shelburne, beyond all other men, had brought Pitt into a foremost place, and he had established the strongest claim upon his gratitude. He appears to have wished to bring him into the Cabinet in the Rockingham ministry.[2] He made him Chancellor of the Exchequer in his own administration, and when he was defeated by the Coalition, he warmly recommended Pitt as his successor. There had been no quarrel, no apparent coldness between them; yet when George Rose, who was then burning with hostility against Shelburne, met Pitt at Paris, almost immediately after the accession of the Coalition to power, he found in the course of a very confidential conversation that Pitt so far shared his feelings, that he was perfectly resolved to have no future connection with that statesman.[3] Nor was this intention hastily expressed. When the Coalition which had overthrown Shelburne was itself swept away by a fierce outburst of popular opinion, and when Pitt was constructing a new ministry chiefly out of the remains of the former ministry of Shelburne, he positively refused to include Shelburne in his administration; nor did he in the smallest degree consult his former chief about his political arrangements. Nothing, indeed, could be more flattering and more decorous than his language about him; he was quite ready to offer him a marquisate and to give him hopes of a dukedom; but on one thing he was fully resolved—that he would not admit him into his Cabinet, or permit him to exercise any political influence. Nor does the public voice seem to have in any degree condemned Pitt for this conduct. It is a singularly curious fact that the explosion of popular indignation against the Coalition which overturned the ministry of Shelburne never appears to have thrown the faintest or most transient gleam of popularity on that statesman. His popular nickname of Malagrida,

[1] Lord Holland's *Hist. of the Whig Party*, i. 45.

[2] See Fitzmaurice's *Life of Shelburne*, iii. 136.

[3] Rose's *Diaries*, i. 32.

derived from a noted Jesuit who had lately been executed in Portugal, and the common caricatures representing him as Guy Fawkes engaged in blowing up his colleagues, seem to show that the popular estimate of him was not very different from that of politicians.

There is certainly nothing in the actions of Shelburne to justify this extreme unpopularity. Much of it was, I believe, simply due to an artificial, overstrained, and affectedly obsequious manner, but much also to certain faults of character, which it is not difficult to detect. Most of the portraits that were drawn of him concur in representing him as a harsh, cynical, and sarcastic judge of the motives of others; extremely suspicious; jealous, and reserved in his dealings with his colleagues, accustomed to pursue tenaciously ends of his own, which he did not frankly communicate, and frequently passing from a language of great superciliousness and arrogance to a strain of profuse flattery.[1] A statesman who combined these traits was tolerably sure to be distrusted and disliked. Men who came in close contact with him complained of the difficulty 'of separating his intentions from his verbiage and professions,' of his 'evident intention to make ciphers of his colleagues,' of his known wish 'to be absolute,' 'to absorb all power,' to make others 'his puppets.' His own writings, which have recently been published, go far to corroborate some parts of this unpleasing picture, for while they show clearly that he was a man of considerably more than common ability, they reveal also the contemptuous, malignant, and depreciatory judgments which he formed of his contemporaries, and, among others, of Chatham, with whom he was most closely connected, and for whom he was accustomed to express in public the highest reverence. He had a few sincere admirers, and among them

[1] George Rose, who had served under him, describes him as 'sometimes passionate or unreasonable, betraying suspicions of others entirely groundless, and at other times offensively flattering.' In another place he accuses him of 'a suspicion of almost everyone he had intercourse with, a want of sincerity, and a habit of listening to every talebearer who would give him intelligence or news of any sort,' of 'alternate violence and flattery.'—Rose's *Diaries*, i. 25, 27, 28. Compare on the character of Shelburne the numerous notices in Horace Walpole, the Buckingham *Papers*, Fox's *Correspondence*, Holland's *Hist. of the Whig Party*, and Lady Minto's *Life of Sir G. Elliot*, with the remarks of Lord E. Fitzmaurice in his *Life of Shelburne*, ii. 164–175.

was Jeremy Bentham, to whom he showed much kindness, and who has spoken in emphatic terms of his genuine goodness and his strong sympathy with popular causes. But there are touches even in Bentham's portrait which agree curiously with the language of Shelburne's enemies and with the popular estimate of his character. 'He had a wildness about him, and conceived groundless suspicions about nothing at all.' 'There was a prodigious deal of ambiguity in the general tenor of his language on party subjects.' 'He had a sort of systematic plan for gaining people.' 'There was artifice in him . . . a curious mixture of what was natural and what was factitious.' 'He had a horror of the clan [of the Whig aristocracy] and looked towards them with great bitterness of feeling.'[1]

He had been very conspicuous in denouncing the policy and character of North and the American policy of the late Government, and he had more than once severely censured the intrusion of the royal influence into parliamentary politics. In 1770 he delivered a speech inveighing against the whole system of King's friends, and eulogised, in terms to which later events give a remarkable significance, one of the writings in which Burke maintained the necessity of disciplined party government. He spoke with much bitterness of 'a set of men, who, on his Majesty's accession to the throne of these realms, enlisted under the banner of the Earl of Bute; who impudently call themselves the King's friends, but who were in reality nobody's friends but their own; who have acted without principle with every administration, sometimes supporting and sometimes betraying them according as it served their views of interest.' 'This,' he added, 'is that secret influence, and if that noble lord or his adherents want to be further informed, I refer them to an excellent pamphlet just published, called "Thoughts on the Cause of the Present Discontents."'[2] In his later policy, however, it was his evident desire to stand aloof from party organisations, and, without abandoning to any serious extent any political principle, to employ those organisations for his own ends. This policy was, no doubt, imitated from that of Chatham, but Shelburne had neither the commanding genius

[1] Fitzmaurice's *Life of Shelburne*, ii. 173–176.
[2] Ibid. ii. 204.

and popularity, nor the transparent uprightness of his great master, and he was entirely without real skill in the management of men. He was accused of petty artifices which deceived no one and which were strangely unworthy of his undoubted abilities. Walpole asserts that he tried to ingratiate himself with the King by expressing to Thurlow an unbounded admiration for the royal genius, and that Thurlow, instead of reporting the words, as was expected, in the Cabinet, reported them everywhere else, as a proof of Shelburne's flattery.[1] Lord Loughborough, who was a good judge of the qualities needed for intrigue, said of Shelburne that his 'art had a strong twang of a boarding-school education, and resembled much more a cunning woman's than an able man's address.'[2] Shelburne himself constantly professed a complete disdain for political art, and declared, in language that was evidently borrowed from Chatham, that he would know nothing of the management of the House of Commons and would throw himself upon the people alone for support.[3] It does not appear to me that he was ever in truth a corrupt politician, and many of his most bitter enmities must be simply ascribed to his disdain or incapacity for party management, and to his neglect of some of his most valuable subordinates. But he never discovered the secret of making himself trusted, either in the country or in the Cabinet.

It was extremely unfortunate for the Whig party that a man of this turn of character should have been found among its leaders, for in Thurlow the Government had already one formidable element of dissension, and he was certain to inform the King of any discord that arose in the Cabinet. The differences between Shelburne and Rockingham on specific points were so slight that they could hardly have affected the stability of the administration if there had been any real confidence and friendship between the two ministers. The policy of restricting royal influence had been asserted by Shelburne quite as strongly

[1] *Last Journals*, ii. 541. Walpole adds: 'Artful as Lord Shelburne affected to be, it is certain that his art was so clumsy, so gross, or so ill-timed, and so contradictory to itself, that he could not have fallen so soon as he did if he had had no art at all.'

[2] Auckland *Correspondence*, i. 19.

[3] Buckingham *Papers*, i. 302.

as by Rockingham. It was his follower Dunning who had introduced the famous resolution of 1780 asserting the necessity of diminishing the influence of the Crown. The chief measures to be pursued had been actually agreed on before the administration was formed, and as late as November 1781, Shelburne told Rockingham that he wished never to see more than two parties in the State, the party of the Crown and the party of the people, and that a third party distinct from either would be ruinous to both.[1] But only a few weeks had passed when it became evident to close observers that the Cabinet was profoundly divided, and that the two Secretaries regarded one another with an intense personal dislike. In the Cabinet, Shelburne was usually supported by the votes of Thurlow, Grafton, Camden, and Ashburton, while Richmond, Rockingham, Lord John Cavendish, and Keppel steadily supported Fox. Conway, as usual, hung irresolutely between the two parties, but without attempting to exercise the power which his casting-vote might have given. The letters of Fox show clearly the rapid progress of the dissension. On April 12, 1782, he writes to Fitzpatrick: 'We had a Cabinet this morning in which in my opinion there were more symptoms of what we had always apprehended than had ever hitherto appeared. The subject was Burke's Bill, or rather the message introductory to it. Nothing was concluded, but in the Lord Chancellor there was so marked an opposition, and in your brother-in-law [Shelburne] so much inclination to help the Chancellor, that we got into something like a warm debate. I told them I was determined to bring the matter to a crisis, as I am, and I think a few days will convince them that they must yield entirely. If they do not, we must go to war again, that is all. I am sure I am ready.'[2] On the 15th, he writes to the same correspondent: 'We have had another very teasing and wrangling Cabinet;' and on the 28th he had already begun to anticipate the downfall of the ministry. 'With respect to affairs here,' he writes, 'they are really in such a state as is very difficult to describe; I feel them to be worse than they were, and yet I do not know what particular circumstance to state as the cause of this feeling. Shelburne shows himself more and more

[1] Fitzmaurice's *Life of Shelburne*, iii. 122.
[2] Fox's *Correspondence*, i. 314.

every day, is ridiculously jealous of my encroaching on his department and wishes very much to encroach upon mine. He hardly liked my having a letter from Grattan, or my having written one to Lord Charlemont. He affects the minister more and more every day, and is, I believe, perfectly confident that the King intends to make him so. Provided we can stay in long enough to have given a good stout blow to the influence of the Crown, I do not think it much signifies how soon we go out after, and leave him and the Chancellor to make such government as they can, and this I think we shall be able to do.'[1]

Parliament met for the despatch of business on April 8, and already the popularity of the administration had been slightly dimmed. A peerage which the Rockingham section of the ministry asked for Sir Fletcher Norton, who was little trusted on any side, was not well received, and there were many violent politicians who would have gladly seen Lord North and some of his colleagues impeached, or at least the pension of 4,000*l.* a year which North had obtained on retiring from office severely censured. The first business which occupied the attention of Parliament was the state of Ireland, and the necessity of conceding the demand for legislative independence which Grattan and the volunteers had made. This subject, however, will be more conveniently examined in a subsequent chapter, and it will be here sufficient to say that the concessions made were such as for a time satisfied public opinion in Ireland without either shaking or dividing the ministry at home. The promised measures for destroying corrupt influence in Parliament were then taken up and pursued with great energy and promptitude. The Bill for excluding contractors from the House of Commons passed without difficulty through that House, but encountered a strenuous though unsuccessful resistance in the Lords. In the course of the discussion the division in the ministry became scandalously apparent. Thurlow took an open and prominent part in opposing the Government measure, and although Shelburne supported it, he took occasion to pay compliments to the Chancellor, which, as Fox afterwards wrote, 'very much scandalised all good men.'[2]

[1] Fox's *Correspondence*, i. 316.
[2] Ibid. p. 317. *Parl. Hist.* xxii. 1356–1361.

His follower, Lord Ashburton, the Chancellor of the Duchy of Lancaster, moved and carried through the Lords an amendment excepting one class of contractors from the operation of the Bill, but Fox induced the House of Commons to reject it.

The very important measure disfranchising revenue officers was next introduced, and carried in spite of much opposition. It was stated in the debate that no less than 12,000 of these officers had been appointed under the late Government, and that they altogether numbered in England, according to some accounts, more than 40,000, according to others not less than 60,000, in an electoral body of about 300,000.[1] Their disfranchisement was by far the most serious blow that had ever been administered to Government influence at elections, and it was a signal example of the truth of the assertion of Burke that disfranchisement may sometimes tend quite as much as enfranchisement to create a pure and genuine organ of public opinion. A measure which had for some time been pending, for the disfranchisement of the borough of Cricklade on account of its enormous corruption, was carried in spite of the violent opposition of the Chancellor, who in the course of the debate was accused by his colleague, the Duke of Richmond, of resisting indiscriminately every measure of regulation and improvement.

Nearly at the same time the House of Commons consented by 115 to 47 to take the somewhat humiliating step of expunging from its journals the resolution of February 1769, asserting the incapacity of Wilkes to sit after re-election, in the House of Commons from which he had been expelled. Wilkes himself introduced the subject in a temperate and skilful speech, and, although Fox declared that he had never changed his opinion in favour of the original resolution, the other ministers were on the side of the majority.

It was evident that the Government was far from realising that ideal of disciplined unity which Burke had pronounced to be indispensable if English politics were to regain a healthy tone. The next task which lay before the ministers was to carry out the great scheme of economical reform which Burke had framed and introduced under Lord North. As is usually the case, they found that they could not, under the responsibility of

[1] *Parl. Hist.* xxii. 1337, 1345; Adolphus, iii. 361.

office, carry out everything which they had recommended when in opposition, and there were many not wholly unjustifiable taunts that several offices which Burke had very lately denounced as grossly corrupt and indefensible were left absolutely untouched. In formerly introducing the measure Burke had made a speech of great length and power, displaying all that mastery of detail which was not among the least wonderful of his gifts, but he now introduced the bill with only a few words, and spoke as little as possible during the debates, and in a tone of evident discouragement. The explanation of this discouragement is not difficult to find. The King was bitterly hostile to the scheme, and Rockingham was extremely anxious to carry it with his concurrence, and without taking any step that could in any way infringe upon his dignity or his comfort.[1] In order that the measure should not wear the appearance of an attack upon the royal authority, he insisted that a Royal Message should be first sent down recommending reform and regulation in the civil establishment. The King very sullenly consented. He tried, as he afterwards told Lord Shelburne, even to avoid reading the Message that professed to emanate from himself, and when Rockingham had obliged him to read it, he did not utter a syllable of comment.[2] The Message, however, was duly introduced into both Houses; and Shelburne and Rockingham in the Lords, and Burke and Fox in the Commons, vied with each other in extolling the magnanimity of the Sovereign;[3] but the terms of the economical measure were still unsettled. Rockingham desired strongly to carry Burke's original scheme wholly or nearly unaltered.[4] The King, though he would hold no discussion on the subject with his Prime Minister, or with the minister who had framed and who was to introduce the measure, wrote a long confidential letter to Shelburne pointing out his violent objection to several parts of the original scheme. He wrote in a strain of undisguised hostility about Rockingham, and he

[1] See his very able and very respectful memorial to the King.—Albemarle's *Life of Rockingham*, ii. 477–480.

[2] Fitzmaurice's *Life of Shelburne*, iii. 157.

[3] Shelburne said 'he could undertake to pledge himself to their lordships that the present Message was a departure from the general rule; it was the voluntary language of the Sovereign himself, proceeding from the heart.'—*Parl. Hist.* xxii. 1278. This was said three days after the King had written to Shelburne in the terms I have just described.

[4] Fitzmaurice's *Life of Shelburne*, pp. 157, 160.

authorised Shelburne to show his letter to Thurlow, but to no one else.[1] The measure was extremely popular among the country gentlemen, and it was impossible altogether to reject it, but Shelburne and the Chancellor laboured in the Cabinet with some success to restrict it. It was, however, after all deductions, a great measure, which, together with the disfranchisement of the revenue officers and the exclusion of contractors from Parliament, rendered political life in England much purer than it had hitherto been. More than forty considerable employments were cut off. It was provided that the pension list should be gradually reduced to 90,000*l.* The secret service fund expended within the kingdom was limited to 10,000*l.* a year, and a saving of more than 72,000*l.* a year was effected.[2] It was immediately followed by another Bill introduced by Burke to regulate his own office of Paymaster-General, cutting off the enormous profits which had hitherto made it by far the most lucrative in the Government.

If a Government is to be estimated simply by the net result of what it has achieved, it must be acknowledged that few ministries have done so much to elevate and to purify English political life as the weak and divided administration of Rockingham. The popularity, however, of this great measure of economical reform was diminished by the abandonment of several portions of the original scheme, and also by the fact that arrears of the civil list were at the same time revealed, amounting to no less than 296,000*l.* The discharge of this debt was provided for in the Act, and it was cited in the preamble as the motive for the retrenchments. A useful measure was also carried, under the influence of Shelburne, obliging future holders of patent places in the colonies to reside there.

Among the members who had entered Parliament for the first time at the election of 1780, there were two who had even now risen to considerable importance. Sheridan had begun public life in his thirtieth year, and he had already made a great reputation in another field as the author of 'The Rivals,' 'The Duenna,' 'The School for Scandal,' and 'The Critic.' It is pro-

[1] Fitzmaurice's *Life of Shelburne*, pp. 155–159.
[2] 22 Geo. III. c. 82.

bable that his literary achievements were in Parliament rather a disadvantage to him than otherwise, and his first speech does not appear to have been successful, but the House soon discovered that he was one of the most brilliant of debaters; and Rockingham, to whom he had firmly attached himself, made him Under-Secretary of State in his ministry. The position of the young son of Chatham, on the other hand, was a very ambiguous one, and it was becoming evident to good judges that it was likely to be a very great one. Though William Pitt was only just of age when he entered Parliament, he had already become, under the excellent instruction of his father, a consummate master of language and of parliamentary retort, and no such young man had ever possessed to an equal degree the qualities that are needed for a great parliamentary career. With stainless morals, with a complete concentration of all his powers on the aims of public life, he combined an almost unfailing self-control, indomitable courage, boundless self-confidence, a judgment of the condition and prospects of parties which was at once singularly acute and strangely mature. His first speech was in February 1781, in defence of Burke's Bill for economical reform. As the son of the great Lord Chatham he was secure of the attention of the House, and his wonderful command of accurate and well-poised English, his perfect skill and self-possession in debate, and his clear and sonorous voice at once showed that he was destined to be one of the greatest of debaters. In the beginning of his career he showed no desire to conciliate the King or the Tories. In a debate in June 1781, he denounced the American war as 'most accursed, wicked, barbarous, cruel, unnatural, unjust and diabolical;' and in the closing months of Lord North's administration he was one of its fiercest assailants. The leaders of the Opposition warmly welcomed their new ally. 'Pitt,' it was once said to Fox, 'will be one of the first men in the House of Commons.' 'He is so already,' was the reply, and he lost no opportunity of eulogising him in public. 'He is not a chip of the old block,' said Burke, 'he is the old block itself.' As early as December 1781, Horace Walpole noticed that he had shown logical abilities in one of his speeches which made men 'doubt whether he would not prove superior even to Charles Fox.' It was, perhaps, still

more significant that Henry Dundas, the Lord Advocate, and one of the most sagacious members of the Government of North, by his elaborate compliments to Pitt showed an evident desire to detach himself from the administration, and to connect his fortunes with those of the young rising statesman.

It soon became clear that Pitt was designing to act on a separate and independent plan, and that he did not wish to throw in his fortunes with an administration which, as he clearly saw, was wanting in the essential elements of stability. About ten days before the fall of the ministry of North he astonished the House of Commons by a declaration that he could not expect to form part of a new administration, and that he felt himself bound to declare that he 'never would accept a subordinate situation.' The words are said to have escaped from him inadvertently in debate, and some ridicule was excited by the amazing self-confidence and ambition which could alone enable a young man of twenty-two, absolutely without experience of official life, to announce that he would only take office as a Cabinet minister at a time when Cabinets seldom consisted of more than seven, and never of more than eleven members. His resolution, however, though perhaps imprudently and prematurely expressed, was fully formed, and when, on the fall of the North ministry, Shelburne offered him a choice of subordinate positions—and, among others, the post of Vice-Treasurer of Ireland, with a salary of 5,000*l.* a year—Pitt, who was then a young barrister with an income of less than 300*l.* a year, unhesitatingly refused, and preferred to give the Government an independent and general, but unpledged, support.

The question of Parliamentary reform was one with which the Government, on account of its internal divisions, could not deal, and which at the same time aroused great interest and enthusiasm in the country. This question Pitt resolved to make his own, and on May 7, 1782, he moved for a committee to inquire into the state of the parliamentary representation. In the course of his speech he inveighed against 'the corrupt influence of the Crown,' in a strain which gave little promise of his future career. He denounced with great vehemence the whole system of Treasury and nomination boroughs, and complained that some cities and boroughs

'were more within the jurisdiction of the Carnatic than the limits of Great Britain,' and that the Nabob of Arcot had seven or eight members in the House.[1] He brought forward, however, no definite plan. He was supported from the ministerial benches by Sir G. Savile and by Fox. The latter observed that 'in all the great questions for the welfare of the country he had observed that the country members, who were most likely to be independent, had uniformly voted in a proportion of five-sixths for the question, but had been overpowered by the members for the rotten boroughs.' Pitt's motion was rejected by 161 to 141. It has been noticed that the reformers never again had so good a division till 1831. A few days later both Fox and Pitt spoke in favour of a Bill for shortening the duration of Parliament, which Burke strenuously opposed.

The dissensions in the Cabinet still continued, and on several questions of minor Court employments, Fox and Shelburne were opposed; the latter representing especially the wishes of the King. On May 5, Walpole wrote to Horace Mann: 'Fox already shines as greatly in place as he did in opposition, though infinitely more difficult a task. He is now as indefatigable as he was idle. He has perfect temper, and not only good humour, but good nature, and, which is the first quality in a Prime Minister of a free country, has more common sense than any man, with amazing parts that are neither ostentatious nor affected.' The material features of the Administration, he elsewhere said, 'were the masterly abilities of Charles Fox and the intrigues of Lord Shelburne. The former displayed such facility in comprehending and executing all business as charmed all who approached him. . . . He seized at once the important points of every affair. . . . His good-humour, frankness, and sincerity pleased, and yet inspired a respect which he took no other pains to attract. The foreign ministers were in admiration of him. . . . While Fox thus unfolded his character so advantageously, Shelburne was busied in devoting himself to the King, and in traversing Lord Rockingham and Fox in every point.' The letters of Fox himself show great uneasiness. Thus, writing to Fitzpatrick on May 11, he says that, in the debate on Pitt's reform motion,

[1] *Parl. Hist.* xxii. 1416-1422.

the Lord Advocate 'chose to speak in the most offensive manner to me personally by marking in the most pointed way the different opinion he entertained of the purity of Pitt's intentions and of mine. . . . I cannot help suspecting,' he continued, 'that he means to show that he does not consider me as a person who has power to hurt him, and that he is very well with those who have; for he always calls himself a supporter of the present Government, and has, I am pretty sure, established a sort of connection with your brother-in-law [Shelburne]. Lord Rockingham's illness, which is now over, has prevented me from bringing this matter to the crisis to which it must come, and shall come, if I am to remain the King's Minister in the House of Commons.' Speaking of Pitt, he writes: 'He is very civil and obliging, profuse of compliments in public; but he has more than once taken a line that has alarmed me. . . . I am satisfied he will be the man that the old system, revived in the person of Lord S., will attempt to bring forward for its support. I am satisfied that he is incapable of giving in to this with his eyes open; but how he may be led into it step by step is more than I can answer for.'[1]

It is impossible, I think, to read these letters without perceiving that a breach was imminent and could not long be postponed. 'It was grievous to me,' wrote the Duke of Grafton, speaking of this time, 'to remark the daily jealousies which even reached often to altercation between Mr. Fox and Lord Shelburne; the latter, I think, differed more from system and dislike; the other with an honest warmth could not brook such constant aggressions.' 'Lord Shelburne's jealousy of Mr. Fox was daily more observable'; 'I am now satisfied that Lord Shelburne and Mr. Fox were too different in character and principles to have acted at all together, and the latter had the sagacity plainly to perceive it.'[2] The first task of the Government was to negotiate a peace, but in this momentous undertaking the two Secretaries of State were continually at variance.[3] Fox was extremely desirous of uniting Russia and

[1] Fox's *Correspondence*, i. 319–325.

[2] Grafton's MSS. *Autobiography*. This work, which has been courteously placed at my disposal, contains a vivid picture of the dissensions in the Cabinet.

[3] Compare Russell's *Life of Fox*, i. 299–303; Fox's *Correspondence*, i. 330–343. Fitzmaurice's *Life of Shelburne*, iii. 166–167.

Prussia with England in a defensive league, and at the same time of detaching Holland, which had not yet recognised the independence of America, and which was not bound to her by any engagement. In order to effect these objects he was prepared to recognise frankly the principles of maritime law contended for by the armed neutrality, and to make a treaty of peace with Holland upon the footing of free navigation according to the treaty of 1764; and he wrote a powerful letter, which was to be submitted to the King of Prussia, defining his policy and asking for the support of that monarch. Shelburne, without apparently openly opposing, strongly discouraged these measures, disliked the introduction of the Northern powers into the negotiation, and appears to have looked forward to a time when France would be the ally of England. Fox also desired immediately and unconditionally to acknowledge the independence of America. Such a measure, he said, would have an appearance of magnanimity, which would be very favourable to the English cause, and he predicted that if America were thus at once assured of all she desired, she would drop off from the Confederation, or would at least cease from active operations in the war; that the troops in America might be withdrawn, and be employed if necessary against France, and that the negotiation with France could be pursued on a much better footing if the avowed object for which the French went to war, and the only advantage the French had still much prospect of gaining, had been already conceded. Shelburne, on the other hand, strongly supported by the King, maintained that the acknowledgment of independence must be reserved for the joint treaty with America and France, and must be deemed one of the chief offers England had to make in the bargain for territory. The question was unfortunately complicated by another consideration. Fox was Secretary for Foreign Affairs, and the negotiation with foreign powers therefore fell under his department; but as long as the independence of America was unrecognised it was considered a colony, and therefore in the department of Shelburne. At the same time a general pacification would fall into the department of Fox.

While these things were pending, an event happened which brought to a crisis the difference between the two ministers.

The story is a somewhat obscure and intricate one, and, in order to understand it, we must go back to the period when the Rockingham ministry was first formed.

Just before the resignation of Lord North was known in Paris, Franklin, who was the American Commissioner in that city, had availed himself of a chance opportunity to send a note to Shelburne reminding him of their old friendship, and expressing in general terms his good wishes, and his earnest hope that peace might soon be re-established. When the letter arrived in London, Shelburne was already Secretary of State, and he determined, apparently with the knowledge and approval of his colleagues,[1] to answer it by sending over a confidential agent, who might negotiate informally with Franklin and ascertain from him the extent of the American demands. He selected for this purpose a Scotch merchant named Oswald, an old friend of his own, and an acquaintance and disciple of Adam Smith. Oswald possessed by marriage large estates in America, and he had been already more than once consulted on American subjects by the ministers.[2] He arrived in Paris on April 12, 1782, bearing private letters from Shelburne. Franklin received him with much cordiality, but told him that America could only negotiate in concert with France, and that nothing authoritative could be done till the arrival of the other two Commissioners, Jay and Adams. He introduced him, however, to Vergennes, and he had himself a long conversation with him, in which he put forward some rather startling ideas. In order to secure a real reconciliation, he said, the party which had done the injury ought to make reparation to the injured. The English and their Indian allies had burnt many villages and towns in America. Perhaps the Americans might ask for reparation, though on this point Franklin professed to know nothing; but at all events it would be very wise for England to offer it. He proposed, therefore, that England should voluntarily cede to America Canada and Nova Scotia, and that a sufficient quantity of the waste lands there should be sold to

[1] Fitzmaurice's *Life of Shelburne*, iii. 175.

[2] For some further particulars about Oswald, see Lewis, *Administrations of Great Britain*, 1783-1830, p. 81

indemnify the Americans for their private losses, and the loyalists for the confiscation of their estates.

When it is remembered that the Americans had not only not taken Canada, but had been driven from it completely defeated, and also that the Canadian people had shown in the clearest and most emphatic manner that they had no wish to be detached from the Crown, or to be connected with New England, the proposition of Franklin will appear a very audacious one. Oswald, however, appears to have received it with a favour which convinced the acute American that he was one of the most desirable of negotiators. Franklin conducted his part of the conversation chiefly from a paper which he held in his hands, and Oswald asked permission to show this paper to Shelburne. After some hesitation, Franklin consented; but in order that there should be no mistake about its completely informal character, he wrote upon it: 'This is mere conversation between Mr. Oswald and Mr. Franklin, as the former is not empowered to make propositions, and the latter cannot make any without the concurrence of his colleagues.' He then sent Oswald back to England with a letter to Lord Shelburne, warmly eulogising the negotiator, and expressing his wish that he might be the sole channel of communication between them.[1]

Shelburne at once communicated the letter of Franklin to his colleagues, and they inferred from it that the writer was much disposed to peace. The notes of conversation, however, he showed to no one except Lord Ashburton, nor did he send any answer to them. They remained for a night in Shelburne's possession, and were then returned to Franklin. Considering the entirely informal character of the conversation to which they related, it can hardly be said that Shelburne was bound as a matter of official duty to communicate them, though it appears to me that the substance at least would certainly have been communicated if the two Secretaries had been on really friendly and confidential terms. In consequence of Franklin's letter the Cabinet determined on April 23 to send Oswald back 'with authority to name Paris as the place, and to settle with Dr. Franklin the most convenient time for setting on foot a

[1] See Fitzmaurice's *Life of Shelburne*, iii. 175–182. Franklin's *Works*, ix. 247–252.

negotiation for a general peace, and to represent to him that the principal points in contemplation are the allowance of independence to America upon Great Britain's being restored to the situation she was placed in by the treaty of 1763, and that Mr. Fox shall submit to the consideration of the King a proper person to make a similar communication to M. de Vergennes.'[1] The person selected by Fox for this latter communication was Thomas Grenville, the son of George Grenville. Oswald reached Paris on May 4, and he had several conversations with Franklin before the arrival of Grenville on the 8th.[2]

It is not easy to say what impression the paper containing the notes of Franklin's conversation about Canada had made on the mind of Shelburne, or what impression Shelburne meant to convey to the mind of Franklin. He placed in the hands of Oswald a paper of instructions in which Oswald was directed to 'tell Franklin candidly and confidentially Lord Shelburne's situation with the King; that he was sent for to form the ministry; that he would make no use of his situation but to keep his word with mankind; that he was under as little apprehension of being deceived himself as unwilling to deceive others; in short, that he knew the bottom to be sound.' He instructed Oswald to demand in the first place free trade, the payment of English debts incurred before the war, and the restoration of the loyalists to a full enjoyment of their rights and privileges, and he alluded in these words to the private paper: 'The private paper desires Canada for three reasons. 1st. By way of reparation.—Answer. No reparation can be heard of. 2nd. To prevent future wars.—Answer. It is hoped that some more friendly method will be found. 3rd. Loyalists—as a fund of indemnification to them.—Answer. No independence to be acknowledged without their being taken care of.'[3] At the same time he wrote to Franklin: 'Mr. Oswald is instructed to communicate to you my thoughts upon the principal objects to be settled;' and Oswald told Franklin that the private paper seemed to have made a favourable impression on Shelburne's mind, that he had reason to believe that the matter might

[1] Fitzmaurice's *Life of Shelburne*, iii. 183–184.

[2] Fox's *Correspondence*, i. 347.

[3] Fitzmaurice's *Life of Shelburne*, iii. 188–189.

be settled to the satisfaction of the Americans, but that it must not be mentioned for the present. He at the same time announced that it was determined that 'Mr. Fox, from whose department that communication is necessarily to proceed, shall send a proper person who may confer and settle immediately with M. de Vergennes' on the peace.[1]

Oswald returned to England on the 14th. Franklin, who spoke in high terms of his 'simplicity and honesty,' and who was doubtless of opinion that he could influence him more easily than Grenville, was greatly disappointed, and he wrote to Shelburne expressing his warm hope that Oswald might soon return, and his belief that 'his moderation, prudent counsels, and sound judgment' would contribute much to a speedy and lasting peace.

Grenville in the meantime had found his interviews with Vergennes exceedingly unsatisfactory. It is not surprising that at the end of a war in which England was reduced to extreme distress, France should decline to accept as a basis of peace the treaty of 1763, which was negotiated when France was in the lowest state of humiliation, although it was united with a recognition of the independence of America, which was the ostensible object for which she had drawn the sword. The impression of Grenville, and the impression of the English ministers, was that peace could not be obtained from France this year on honourable terms, and that the chief result to be looked for was a separation of France from her allies. On May 18 the Cabinet determined that full authority should be given to Grenville to make propositions of peace to the belligerent powers on the basis already mentioned, and to receive and report to Fox any counterpropositions of Vergennes; and on the 23rd, when the news of the great victory of Rodney had materially modified the situation, the Cabinet authorised Grenville 'to propose the independency of America in the first instance, instead of making it a condition of a general treaty.'[2]

Fox maintained that this direction was a complete and final recognition of American independence, and therefore placed the American negotiation wholly in the hands of the Secretary for

[1] Fitzmaurice's *Life of Shelburne*, iii. 190–191. Franklin's *Works*, ix. 267–269.

[2] Fox's *Correspondence*, i. 357.

Foreign Affairs, but Shelburne, maintaining that the recognition was conditional on the conclusion of a general treaty of peace, believed that it left the matter still under his own control as Secretary for the Colonies.[1] Fox would gladly have placed the entire negotiation in the hands of Grenville, but the majority of the Cabinet determined, in consequence of the letter of Franklin, to send back Oswald to Paris, though as the Enabling Bill, permitting British subjects to negotiate with the revolted colonists had not yet passed, it was not possible to give him any formal powers. The King was warmly in favour of the step, and in one of his letters to Shelburne he significantly suggested that Oswald 'might be a useful check on that part of the negotiation which was in other hands.'[2] Oswald showed no disposition to quarrel with Grenville. He was perfectly frank in his dealings with him, and he was much more frank in his dealings with Franklin than any prudent negotiator would have been. If, indeed, the account which Franklin has given in his diary be correct, Oswald must have been to an astonishing degree unfit for the task he had undertaken. He appears to have informed the American negotiator that he had left the English Secretaries of State well disposed for peace, but in his own opinion too much elated by Rodney's victory, which they appeared to him to rate too highly. Peace he considered absolutely necessary to England. Without it even the payments of the national debt might soon be stopped. 'Our enemies may now do what they please with us. They have the ball at their feet, and we hope they will show their moderation and their magnanimity.' The English ministers, and especially Shelburne, reckoned much upon Franklin to extricate England from her terrible situation.[3] As for the more specific points at issue, Oswald remarked that he personally quite agreed with Franklin that the Americans could not be expected to make compensation to the loyalists, and he was strongly in favour of ceding Canada to America. He had done his best, he said, to convince the English ministers that this cession should be made, and although he had not altogether succeeded, he intimated that he was not without hopes.[4]

[1] Fox's *Correspondence*, i. 439.
[2] Fitzmaurice's *Shelburne*, iii. 184.
[3] Franklin's *Works*, ix. 311, 312.
[4] Ibid. p. 316.

This was the language which an English envoy appears to have used to the representative of a hostile power, and in this most critical moment of English history the whole negotiation was entrusted by the Cabinet to Oswald and to a young man of twenty-six, who was entirely inexperienced in diplomacy. It was at the same time clearly understood by Franklin, and by the French statesmen, that the two envoys represented jealous and even hostile ministers.

The sequel may soon be told. On May 30, Grenville informed Fox that Franklin had shown much disposition to enter fully into the points that were necessary to establish a solid union between England and America, and had promised in a few days to write down the heads and to discuss them in detail;[1] but immediately after the arrival of Oswald, Franklin became much more reserved, and on June 4 Grenville wrote a very remarkable confidential letter to Fox. He mentioned the mortification with which he had observed the changed attitude of Franklin, but stated that it had become fully intelligible to him after an interview he had just had with Oswald. 'Mr. Oswald,' he writes, 'told me that Lord Shelburne had proposed to him, when last in England, to take a commission to treat with the American ministers; that upon his mentioning it to Franklin now, it seemed perfectly agreeable to him, and even to be what he had very much wished; Mr. Oswald adding that he wished only to assist the business. . . This intended appointment has effectually stopped Franklin's mouth to me, and when he is told that Mr. Oswald is to be the commissioner to treat with him, it is but natural that he should reserve his confidence for the quarter so pointed out to him; nor does this secret seem only known to Franklin, as Lafayette said laughingly yesterday that he had *just left Lord Shelburne's ambassador at Passy*. Indeed, this is not the first moment of a separate negotiation, for Mr. Oswald, suspecting by something that I dropped, that Franklin had talked to me about Canada (though, by the by, he never had), told me this circumstance as follows: When he went to England the last time but one he carried with him a paper entrusted to him by Franklin under condition

[1] Fox's *Correspondence*, i. 355.

that it should be shown only to Lord Shelburne and returned into his own hands at Passy. This paper, under the title of "Notes of a Conversation," contained an idea of Canada being spontaneously ceded by England to the thirteen provinces in order that Congress might sell the unappropriated lands and make a fund thereby, in order to compensate the damages done by the English army, and even those, too, sustained by the royalists. This paper, given with many precautions for fear of its being known to the French Court, to whom it was supposed not to be agreeable, Mr. Oswald showed to Lord Shelburne, who, after keeping it a day, as Mr. Oswald supposes to show to the King, returned it to him, and it was by him brought back to Franklin. I say nothing to the proposition itself, to the impolicy of bringing a *strange* neighbourhood to the Newfoundland fishery, or to the little reason that England would naturally see, in having lost thirteen provinces, to give away a fourteenth; but I mention it to show you an early trace of separate negotiation which, perhaps, you did not before know.' Under these circumstances Grenville urgently recommended Fox to recall him, and to send some person of high rank, such as Lord Fitzwilliam, who might conduct alone the whole negotiation. 'You would by that means,' he said, 'recover within your compass the essential part which is now out of it; nor do I see how Lord Shelburne could object to such an appointment, which would in every respect much facilitate the business. . . . You may depend upon it, people here have already got an idea of a difference between the two offices; and consider how much that idea will be assisted by the embarrassments arising from two people negotiating to the same purpose, but under different and differing authorities, concealing and disguising from one another what with the best intentions they could hardly make known. . . . I cannot fight a daily battle with Mr. Oswald and *his* Secretary; it would be neither for the advantage of the business, for your interest or your credit, or mine. . . . You have but one of two things to do; either to adopt the proposition of a new *dignified* peer's appointment, which, being single, may bring back the business to you by comprehending it all in one, or Lord Shelburne must have his minister here, and Mr. Fox his, by doing which Mr. Fox will be pretty near as much out

of the secret—at least of what is most essential—as if he had nobody here.'[1]

It is not surprising that Fox's answer to this letter should have displayed extreme astonishment and indignation. It appears, indeed, that Oswald had on one occasion proposed to Fox the cession of Canada, and that Fox had at once expressed his hostility to the idea,[2] but he now learnt for the first time that a paper containing this proposition had been sent by Franklin to his brother Secretary, and had been laid, as Grenville believed, before the King, and he naturally inferred from the language of his correspondent that this paper had a formal character of negotiation which it did not in truth possess. He appears to have been wholly ignorant of Shelburne's intention of proposing that Oswald should be invested with full powers, which had never been mentioned in the Cabinet though it had been communicated to Franklin, and 'which,' Fox wrote to Grenville, 'was certainly meant for the purpose of diverting Franklin's confidence from you into another channel.' He showed Grenville's letter to Rockingham, Richmond, and Lord J. Cavendish, and they concurred in his sentiments. He strongly maintained that Grenville must remain at his post; that the appointment of Lord Fitzwilliam would be altogether useless, and that the matter must be at once brought before the Cabinet. The nature of the negotiations in question rendered great caution necessary. If the separate and extremely confidential overtures of Franklin to England were revealed, this would put an end to all hope of a future separate negotiation with America. The Canada paper, therefore, must not be publicly mentioned, but it might be said that 'Shelburne had withheld from our knowledge matters of importance to the negotiation,' and that 'while the King had one avowed and authorised minister at Paris, measures were taken for lessening his credit and for obstructing his inquiries by announcing a new intended commission, of which the Cabinet here had never been apprised.' Fox implored Grenville to send him all further 'proofs of this duplicity of conduct' which he might discover, and intimated that the matter must lead to a positive rupture, or at the least to the

[1] Fox's *Correspondence*, i. 359–366.

[2] Franklin's *Works*, ix. 316. This rests upon Franklin's report of a conversation of Oswald.

recall of Oswald. 'What will be the end of this,' he continued, 'God knows, but I am sure you will agree with me that we cannot suffer a system to go on which is not only dishonourable to us, but evidently ruinous to the affairs of the country. In this instance the mischief done by intercepting, as it were, the very useful information we expected through you from Mr. Franklin is, I fear, in a great degree irremediable; but it is our business, and indeed our duty, to prevent such things for the future.'[1]

There was, no doubt, some exaggeration and misunderstanding in the view that was taken by Fox. The Canada paper was certainly not so important as he imagined. Oswald, though without any formal powers, was in Paris with the full assent of the Cabinet, for the purpose of conferring with Franklin, and Shelburne believed—and it is by no means certain that he was wrong—that the American department was still technically within his special province. Still, the whole transaction shows, as it appears to me, on the part of Shelburne an extreme want of that candour and frankness of communication which was indispensable if a joint negotiation was to prove other than disastrous; and it must be considered in connection with the many other symptoms of jealousy, suspicion, and intrigue, which had appeared since the ministry was formed. The exact particulars of what passed in the Cabinet Councils that followed have not been preserved; but it appears that the majority of the Cabinet, resting upon Franklin's expressed desire to negotiate with Oswald, determined that the best way of arriving at a general pacification was to treat separately with each party; that they refused Fox's demand for the recall of Oswald, and that the Enabling Act being now passed, they agreed to grant him full powers. One reason which appears to have weighed with them was the vague and unsatisfactory language of Vergennes. The ministers inferred from it that he desired to postpone the pacification, and they imagined that peace might still be made separately with America, or at least that America might become so far neutral that the whole energies of England might be concentrated on her European enemies. This decision was

[1] Fox's *Correspondence*, i. 366–370.

naturally very displeasing to Fox, and he now spoke seriously of resigning, but he resolved to make one more effort. On June 30 he moved in the Cabinet that the independence of America should be unconditionally acknowledged. According to his own view of the matter, this had already been done by the minute of May 23; but Shelburne contended that the meaning of that minute was only that the recognition was to be a price of peace, a conditional offer which might be recalled if the negotiation failed. The practical importance of the motion of Fox was that, if carried, it would have placed the negotiation with America, as well as the negotiation with the other powers, indisputably in the province of the Secretary for Foreign Affairs. The Cabinet was usually equally divided, Conway holding the casting-vote; but at this time Rockingham was on his deathbed, and Conway sided with Shelburne, and the motion of Fox was accordingly rejected by a majority of 4. Fox at once announced to his colleagues his intention of resigning, but he abstained from disturbing the last hours of Rockingham by such a step, and the next day Rockingham died.[1]

It was a happy saying of Walpole, that the Crown devolved on the King of England upon the death of Lord Rockingham.[2] The party, indeed, which had made it their object to restrain the royal power now found themselves without any candidate for leadership of acknowledged claims. The Duke of Richmond, it is true, combined in a very eminent degree the abilities of a debater with the position generally required for a leader, and he appears to have considered that he had the best claims to the post; but he was detested by the King and not popular in the country, and he had committed himself to extreme views about Parliamentary Reform. Sir George Savile, who, though a less able man, was universally respected, had retired from

[1] See Fitzmaurice's *Life of Shelburne*, iii. 218, 219; Fox's *Correspondence*, i. 434–439; Russell's *Life of Fox*, i 316–320. Franklin quite understood the situation. 'Mr. Oswald,' he wrote, 'appears to have been the choice of Lord Shelburne, Mr. Grenville that of Mr. Secretary Fox. Lord Shelburne is said to have lately acquired much of the King's confidence. Mr. Fox calls himself the minister of the people, and it is certain that his popularity is lately much increased. Lord Shelburne seems to wish to have the management of the treaty, Mr. Fox seems to think it in his department. I hear that the understanding between these ministers is not quite perfect.'—Franklin's *Works*, ix. 335–336.

[2] Lady Minto's *Life of H. Elliot*, p. 255.

public business in the early part of 1781.[1] Lord John Cavendish had neither the ambition nor the ability of a leader. Fox possessed to a transcendent degree the necessary oratorical powers, and he had greatly improved his position during the brief period of his Administration, but he was of all politicians the most hated by the King, and a young man of thirty-four, of broken fortunes, of notoriously gambling and dissipated habits, who had very recently suddenly changed his politics, and who was a leading member of the most worthless section of fashionable society, could not command the confidence of the English people. The greatest and wisest man in the ministry was Edmund Burke, but he was not even in the Cabinet; he was looked upon as a needy, though brilliant adventurer, under the patronage of Rockingham; and even if he had belonged to the small circle of governing families, he was, with all his great gifts, utterly destitute of the skill, temper, and tact that are required for managing men and directing a legislative Assembly. Under these circumstances the party selected for their leader the Duke of Portland, a respectable but perfectly undistinguished nobleman, who was chiefly remarkable for his vast expenditure in the Yorkshire elections, and who was now Lord-Lieutenant of Ireland; and they proposed him to the King as the successor of Rockingham. The King at once answered that he had made Shelburne First Lord of the Treasury; and Fox and several other members of the Rockingham party immediately resigned.

Whatever may be thought of the wisdom of this step, it must be owned that the position of Fox was an extremely difficult one, for it was impossible for him publicly to explain the differences in the Cabinet and the episode relating to Oswald, which were the chief motives that governed his decision. Public opinion attributed his resignation to an unworthy personal dislike, and persisted in narrowing the issue to the question of the rival claims of Shelburne and Portland to the vacant post. It was impossible to place it on a ground more unfavourable to Fox. The constitutional right of the Sovereign to select the person who was to be entrusted with the task of forming his ministry was incontestable; and although in a united party some one leader is usually designated to his choice by an in-

[1] Nicholls's *Recollections*, i. 41.

disputable ascendency, no one could say that this was the position of Portland. Shelburne, who had been so long one of the most prominent statesmen in England, who had been a favourite colleague of Chatham, and who had very recently been offered the Treasury, had personal claims which were immeasurably higher. There was, indeed, something peculiarly ungraceful in the party which professed to be the special representative of the popular element in the Constitution putting forward for the second time as their indispensable leader a nobleman who was utterly destitute of parliamentary ability and reputation, and distinguished solely by a great title and a great fortune. Such a proceeding corroborated all that had been said of the narrow and oligarchical spirit of the old Whigs, of their desire to make the government of England the monopoly of a few great families. Shelburne had now the opportunity of employing a language which was equally pleasing to the nation and to the King. He said that he had imbibed the principles of 'his master in politics, the late Earl of Chatham,' who 'had always declared that this country ought not to be governed by any party or faction, and that if it were to be so governed the Constitution must necessarily expire;' and he added that 'he never would consent that the King of England should be a King of the Mahrattas, among whom it was a custom for a certain number of great lords to elect a Peshaw who was the creature of an aristocracy, and was vested with the plenitude of power, while the King was in fact nothing more than a royal pageant or puppet.' 'These being his principles,' he continued, 'it was natural for him to stand up for the prerogative of the Crown, and to insist upon the King's right to appoint his own servants.'[1]

In the House of Commons, Fox denounced Shelburne as utterly untrustworthy, and accused him of having abandoned the principles on which the Government was formed, and of contemplating a restoration of the system which prevailed under North; but he was answered by Conway with great power. What principle, it was asked, which had been professed when the Government was framed, had been in fact abandoned? The ministers had pledged themselves to acknowledge the

[1] *Parl. Hist.* xxiii. 192.

independence of America, and they had made this the very first article of their proposed treaty of peace, and it was Shelburne who had persuaded the King to consent to it. They had pledged themselves to recognise the legislative independence of Ireland, and they had done so. They had pledged themselves to put an end to the system of illegitimate influence in Parliament and the constituencies; and, as a means to this end, to remove contractors from Parliament, to disfranchise the revenue officers, and to carry a great measure of economical reform. All these measures they had actually accomplished. If there had been differences, they were mere differences of detail, such as must arise in every Cabinet. Fox suspected that Shelburne would revive the old system of royal government, but was it not at least his duty to delay his resignation till he had some proof that this suspicion was founded? Even in a time of profound peace a resignation based on such slight, vague, or problematical grounds, would be very culpable. But what must be thought of a statesman, who, on these grounds, did his best to break up, or dislocate, a ministry which was engaged in the arduous task of negotiating a general peace at the end of a most disastrous war?

These arguments had great weight with the public, though the case of Fox was in reality much stronger than it appeared. The Rockingham ministry had lasted only fifteen weeks, but on almost every question that arose there had been serious differences in the Cabinet, and these differences were not casual but systematic, the same men voting steadily together. Rightly or wrongly, Fox, and some of his colleagues, regarded Shelburne with the strongest possible dislike, suspicion, and distrust. They accused him of systematic duplicity and intrigue, of a constant wish to pursue his own policy without the knowledge or assent of his colleagues. Fox had already announced his determination to resign before the death of Rockingham. He had come to an open quarrel with Shelburne, and it was surely very undesirable that he should continue to serve under a minister with whom he was on such terms. Though he represented the more numerous section of the Whigs, the death of Rockingham, and the avowed determination of Lord J. Cavendish under no circumstances to continue in a ministry

presided over by Shelburne, made it almost certain that Fox would be in a minority in the Cabinet, that he would be habitually outvoted, and that he would be expected to carry out a policy dictated by Shelburne. Was it for the advantage of the country that he should attempt under these conditions to carry on a most difficult and critical negotiation for peace, and that he should take the chief part in representing and defending the Government in the House of Commons?

It does not appear to me that such a position could have been tenable or honourable; but it would probably have been wiser if Richmond or Fox himself had been proposed as leader. There were objections to them which did not apply to Portland, but they would have at least carried with them the weight of great influence and abilities. As it was, the resignation of Fox at once broke up the Rockingham party. Lord J. Cavendish was the only Cabinet minister who accompanied him in his resignation. Portland, Burke, Sheridan, Althorp, Duncannon, Townshend, the Solicitor-General Lee, and a few less important members of the party, took the same course; but the Duke of Richmond, after a brief hesitation, determined to remain, and he from this time severed all political connection with Fox. Keppel also continued in the ministry, and many of the rank and file of the party transferred their allegiance to Shelburne. No difficulty was experienced in filling up the vacant places. By far the wisest, as well as the most popular, appointment was that of Pitt, who replaced Lord J. Cavendish as Chancellor of the Exchequer, and who thus early attained his ambition of entering the Cabinet. The secretaryship of the Home and Colonial departments, with the lead of the House of Commons, was given to Thomas Townshend, and that of Foreign Affairs to Lord Grantham, a former minister to Madrid. Colonel Barré became Paymaster of the Forces; Sir George Yonge, Secretary at War; Dundas, Treasurer of the Navy; Temple, Lord Lieutenant of Ireland. On July 11, Parliament was prorogued, and it did not meet again till December.

The confidential letters of those who were best fitted to judge the position of Fox show much conflict of judgment and opinion. The King himself clearly saw that Shelburne and Fox could not long concur. Just before the death of

Rockingham he wrote to Shelburne: 'From the language of Mr. Fitzpatrick it should seem that Lord Shelburne has no chance of being able to coalesce with Mr. Fox. It may not be necessary to remove him at once; but if Lord Shelburne accepts the head of the Treasury and is succeeded by Mr. Pitt as Secretary for the Home Department and British Dominions, then it will be seen how far he will submit to it. The quarrelling with the rest of the party as a party would not be wise.'[1] Sir Gilbert Elliot wrote of the seceders: 'With the opinion they entertain of Lord Shelburne's character they could do no otherwise with dignity or credit.'[2] In the judgment of Sheridan there was 'really no other question but, whether having lost their power, they ought to stay and lose their characters.'[3] Fitzpatrick wrote: 'All persons who have any understanding and no office are of opinion that Charles has done right. All persons who have little understanding are frightened, and all persons who have offices, with some brilliant exceptions, think he has been hasty.'[4] 'My opinion,' wrote Lord Temple, 'from all whom I have seen, is that Fox has undone himself with the public; and his most intimate friends seem of the same opinion.'[5] Burke, on the other hand, was a strenuous advocate of resignation, and he looked upon the elevation of Shelburne as a crushing calamity, for it involved, in his judgment, a complete destruction of the system of united and independent administrations, which it had been the aim of Rockingham to construct.[6] Fox himself adopted a similar view. He told the Duke of Grafton, just before the death of Rockingham, that he was convinced that

[1] Fitzmaurice's *Life of Shelburne*, iii. 220.

[2] Lady Minto's *Life of Sir G. Elliot*, i. 80. It appears from a curious letter which Lady Minto has printed, that Adam Smith strongly approved of the resignation, but he said that he found himself in that respect alone in Edinburgh.—Ibid. p. 84.

[3] Buckingham *Papers*, i. 54.

[4] Fox's *Correspondence*, i. 461. See, too, p. 459.

[5] Buckingham *Papers*, i. 52.

[6] In a very remarkable and touching letter to Lord Loughborough, written just after Rockingham's death, Burke says: 'I have lost, and the public has lost a friend. But this was the hand of God manifestly, and according to the course and order of his providence. But to think that all the labours of his life and that all the labours of my life should, *in the very moment of their success*, produce nothing better than the delivery of the power of this kingdom into the hands of the Earl of Shelburne—the very thing, I am free to say to you and to everybody, the toils of a life ten times longer and ten times more important than mine would have been well employed to prevent—this, I confess, is a sore, a very sore trial. It really looks as if it were a call upon me at least, wholly to withdraw from all struggles in the political line.'—Campbell's *Chancellors*, viii. 63, 64.

Shelburne was 'as fully devoted to the views of the Court as Lord North ever had been.'[1] 'I have done right,' he wrote to one of his most intimate friends immediately after his resignation, 'I am sure I have. The Duke of Richmond thinks very much otherwise, and will do wrong. I cannot help it. I am sure my staying would have been a means of deceiving the public and betraying my party, and these are things not to be done for the sake of any supposed temporary good. I feel that my situation in the country, my power, my popularity, my consequence, nay, my character, are all risked; but I have done right, and therefore in the end it must turn out to have been wise.'[2]

The main work of the Shelburne ministry was the negotiation of peace, and this task had been rendered somewhat unexpectedly easy on account of a great change in the fortunes of the war. The surrender of Yorktown on October 19, 1781, had made the English cause in America a desperate one, though New York, Charleston, and Savannah were still held by English troops, and the long succession of other calamities that darkened the closing months of Lord North's administration had reduced the English power to the lowest ebb. In the West Indies, as we have seen, Jamaica, Antigua, and Barbadoes alone remained under the British flag, and the capture of Jamaica by a combined French and Spanish force was the next great enterprise which the enemy proposed. In the beginning of April 1782, a powerful French fleet was collected at Martinique for that purpose. It consisted of thirty-three ships of the line and two ships of fifty guns, and it carried a large body of French troops, as well as great stores of guns and ammunition for the intended expedition.[3] Rodney, however, had arrived at Barbadoes on February 19 with twelve ships of the line. He soon after joined Hood at Antigua, and the arrival of some other English ships which had been sent out to St. Lucia, made him for a time equal to the enemy. If a blow could be struck before the Spanish fleet arrived, Jamaica might yet be saved.

[1] Grafton's *Autobiography*. The Duke of Grafton adds: 'In the sequel I was convinced of my error in thinking otherwise, but at that time I maintained Lord Shelburne's intentions to be pure and regardful to the public.'

[2] Buckingham *Papers*, i. 55.

[3] Beatson, v. 460.

Rodney succeeded in his design, and a slight and indecisive action on April 9 was followed on the 12th by a great English victory near the island of Dominica. The rival forces were very equally matched. The English had three or four more ships than the French and a slight superiority in the number of their guns, but the French had the greater weight of metal, and the greater number of men. They were commanded by De Grasse, and his flag flew on the 'Ville de Paris,' a noble ship carrying 110 guns, which had been presented to Lewis XV. by the town of Paris, and which was esteemed the flower of the whole French navy. The battle lasted for nearly eleven hours. Rodney succeeded in breaking the French line [1] in a manner which is said to have been imitated by Nelson, and in utterly routing the enemy. For some time the hostile guns almost touched, and the English fire was poured with a tremendous effect into the dense ranks of the French. The English did not lose a single ship, and their loss in killed and wounded was about 1,000 men. The French loss in killed and wounded is said to have amounted to 9,000 men. Six ships of the line and two smaller vessels were captured or sunk, and, as night drew in, the remainder fled in confusion. The sea was strewn with human bodies, and shoals of voracious sharks gathered around the sinking ships, and might be seen tearing the men from the fragments of wreck to which they clung. The 'Ville de Paris,' after an heroic resistance, was compelled to strike her flag. She was then little more than a wreck, and only three men—one of them being the admiral—were unwounded on her deck. The whole train of artillery with the battering cannon and travelling-carriages intended for the attack upon Jamaica, and a large treasure intended for the payment of the troops, fell into the hands of the English. The other French ships escaped, except four, which were soon after captured by Hood, but most of them were so disabled that their safety was probably entirely due to a sudden calm, which arrested the British pursuit.

No event could have been more mortifying to the enemy, and although the French ministers took a tone of haughty

[1] See Mundy's *Life of Rodney*, ii. 229–230, 235. Beatson, however, maintained that the breaking of the French line was due to a change in the wind, and he somewhat depreciates the seamanship of Rodney (v. 470).

defiance, and gave immediate orders to build twelve new ships, it was at once felt that the conditions of the war were changed. England, if she could not be said to have regained her naval ascendency, had at least shattered that of France. The expedition against Jamaica, which had been so laboriously prepared, was at an end. The island, which was one of the chief prizes the enemy still hoped to win, was safe; and the depression which a long series of calamities had produced passed suddenly away.

'You have conquered,' said Lord North in Parliament, turning to the ministers, 'but you have conquered with the arms of Philip.' Rodney had owed his appointment to the ministry of North, and he had for some time been peculiarly obnoxious to the Rockingham Whigs. They had taken the lead in blaming —as it appears to me with only too good reason—the circumstances of the capture of St. Eustatius, and they attributed mainly to the dilatoriness of Rodney the successful arrival of De Grasse in the Chesapeake which had led to the catastrophe of Yorktown. On May 1, just before the news of the great victory arrived in England, they had sent out Admiral Pigot to command the fleet, and had recalled Rodney, in a letter which was curt even to offensiveness, and without a single expression of regret or of regard. The news of the victory and of the recall came nearly at the same time, and the exultation of the public was largely mixed with indignation against the Government. The popularity of Rodney was at this time unbounded; and the title of baron, and a pension of 2,000*l.* a year which was granted him at the proposal of the Government, appeared to many an inadequate reward for his services.

For some months the war in other quarters was languid and indecisive. The Spanish governor of Cuba succeeded in driving the English from the Bahama isles, and a few small isolated forts or settlements were taken or retaken. Many prizes were captured on both sides. Some of the vessels taken by Rodney sank in a great storm; and the 'Royal George,' with Admiral Kempenfelt and nearly one thousand sailors and marines, foundered in a sudden squall at Spithead. In the autumn of 1782, however, the curtain rose upon a far more stirring scene, upon the last great effort to capture Gibraltar.

The prospect of regaining that fortress had been one of the

chief inducements of Spain to enter into the war, and France had pledged herself not to desist until it had been attained. Hitherto, General Elliot had baffled all the efforts of the two powers; but it was now determined to make one more desperate attempt. The Duke de Crillon, who had just won a great reputation by the conquest of Minorca, was placed at the head of the Spanish army which was besieging the fortress, and preparations were made for a combined attack, by land and sea, on a scale which had probably been equalled in no modern siege. A distinguished French engineer named D'Arçon had discovered, as he imagined, the art of making battering-ships so strong that they would be wholly impervious to cannon-shot, while their sailors were completely protected against grape. With much care and labour, ten of these battering-ships were constructed, carrying 212 large guns. It was believed that this weight of metal, carried on invulnerable ships, must break down all resistance, and it was resolved to sustain the attack by the most powerful fleet the combined efforts of France and Spain could collect. Twelve thousand of the best French troops had just joined the Spanish army before Gibraltar, and the whole land forces collected before the fortress now amounted to near 40,000 men. The Count d'Artois the French King's brother, his cousin the Duke de Bourbon, many of the French and Spanish nobility, and many foreigners of distinction, were present, to witness or partake in the expected victory. Sir George Elliot, on the other hand, employed every means of strengthening his lines, and, at the suggestion of Sir Robert Boyd, he resolved to rely chiefly on red-hot balls. Immense numbers of grates and furnaces for heating shot were hastily constructed; and the garrison, now amounting to a little more than 7,000 men, awaited with the composure of well-seasoned veterans the terrible ordeal that was before them.

On the morning of September 9 the new batteries of the enemy were unmasked, and during this and the two following days a tremendous cannonade was directed against the fortress from 170 cannon, all of large calibre, assisted by some ships of war and by a small fleet of gun and mortar boats. On the 12th the whole combined fleet of France and Spain anchored in the bay.

No such armament had ever before been brought against a single fortress. There were no less than forty-seven ships of the line, accompanied by innumerable frigates, gunboats, mortar-boats, cutters, and smaller craft for disembarking men; while in the midst of the fleet moved the ten great battering-ships which were the centre of so many hopes and fears, and which were destined, as it was believed, to begin a new era in the annals of war. And this great force was to co-operate with a land army of near 40,000 men, and to be sustained by land batteries which were now mounted by no less than 186 guns.

The spectacle was at once grand and terrible; but as the garrison watched the approaching fleet, a sudden cheer burst from among them. A signal, it was said, was hoisted from the signal pole on the summit of the rock, and it could only mean that a British fleet was in sight. It was a delusive hope soon followed by disappointment, but the cause of the mistake seemed to many a happy omen. An eagle had hovered majestically over the British fortress, and after wheeling for some moments through the air, had taken its stand on the signal post which crowned the height.

On the morning of the 13th the great attack began. The battering-ships, advancing before the other ships, sailed in admirable order to their appointed posts. The nearest was only 900, the most remote 1,200 yards from the walls. For a long time the fire of the enemy was incessant, and the fortress, neglecting wholly that from the land batteries, replied with showers of shells and red-hot balls directed chiefly against the battering-ships, and hurled with admirable precision from ninety-six guns. No less than four hundred pieces of the heaviest artillery were firing together. For some hours the boast of the great French engineer seemed amply justified; and, though masts and rigging were torn away, the heaviest shot glanced harmlessly from the sides of the assailing vessels, which lay, apparently almost unscathed, under a fire which no other ships could have endured. But about two in the afternoon smoke was seen to issue from the Spanish admiral's ship. The fire was kept under for the rest of the day, but all attempts to extinguish it were vain. In the afternoon the enemy's fire perceptibly diminished; by seven or eight

o'clock it was confined to the two most distant battering-ships, and numerous boats were seen to hasten to the others. The British fire continued incessant, and the red-hot balls plunged fiercely among the crews of the open boats. Shortly before midnight a wreck drifted in under the fort. An hour later flames burst out from the Spanish admiral's battering-ship, and soon after, a second vessel, commanded by the Prince of Nassau, was seen to be on fire. The splendour of the conflagration, which illumined the whole bay, enabled the English to continue their cannonade with a terrible precision, and between three and four in the morning six other battering-ships were in flames. At last, about three in the morning, a little squadron of twelve English gunboats, which had hitherto lain safely under the shelter of the new works, darted out under the command of Brigadier Curtis, swooped down upon the boats that were trying to withdraw the battering-ships, and put them easily to flight. In the midst of the panic and confusion they met with no resistance, and as the morning of the 14th dawned the English devoted all their efforts to saving their now helpless enemies from the waves and from the burning ships. Three of the six battering-ships that were still in flames blew up; three others burnt to the water's edge, the crew having moistened the magazines before they abandoned them. The two remaining battering-ships were isolated and disabled, and it was hoped that they might be preserved as trophies of the memorable fight; but one of them unexpectedly burst into flames, and shortly after blew up, and the other it was found necessary to burn. The whole fleet of battering-ships which had been so laboriously constructed, and on which such boundless expectations had been placed, was thus destroyed. About 2,000 of the enemy were killed or captured in the attack, while the loss of the English in killed and wounded was only 90 men; and the invincible fortress, almost uninjured by the cannonade, still looked down defiantly on the foe.[1]

The mortification, both in France and Spain, was extreme. The dearest wish of the Spanish heart had seemed almost attained; and in France the interest was hardly less keen, and

[1] Drinkwater's *Siege of Gibraltar*. Beatson's *Naval and Military Memoirs*, vol. v.

the confidence in the issue of the expedition was, if possible, even more complete. The capture of Gibraltar had been actually exhibited on the French stage. Gibraltar dresses and Gibraltar ornaments were prominent among the fashions of the hour, and the favourite toy in Paris was the Gibraltar fan, which on one side appeared strong and perfect as Gibraltar then was, but when turned on the other side fell at once into a disorderly heap, to represent what Gibraltar was soon to be.[1] All this confidence was now suddenly damped, and the last hopes of capturing the fortress were extinguished in October when Lord Howe, evading the combined fleets of France and Spain, succeeded in relieving it, and, having left it amply provided with all that was needed for a prolonged resistance, returned unmolested to England. Nothing more of any importance was done till the beginning of February 1783, when the Duke de Crillon sent a flag to inform General Elliot that the preliminaries of peace were signed. The siege had then lasted for three years seven months and twelve days.[2]

In America for some time the war had greatly languished. Immediately after the surrender of Yorktown Washington returned with his army to the vicinity of New York, but he felt himself far too weak to attempt its capture, and hostilities were restricted to a few indecisive skirmishes or predatory enterprises. It is curious to notice how far from sanguine Washington appeared even after the event which in the eyes of most men, outside America, had determined the contest without appeal. It was still impossible, he maintained, to do anything decisive unless the sea were commanded by a naval force hostile to England, and France alone could provide this force.[3] The difficulties of maintaining the army were unabated. 'All my accounts,' he wrote in April 1782, 'respecting the recruiting service are unfavourable; indeed, not a single recruit has arrived to my knowledge from any State except Rhode Island, in consequence of the requisitions of Congress in December last.'[4] He strongly urged the impossibility of recruiting the army by voluntary enlistment, and recommended that, in addition to the compulsory enrolment of Americans, German prisoners

[1] Grafton's *Autobiography*.
[2] Drinkwater, Beatson.
[3] Washington's *Works*, viii. 201, 205.
[4] Ibid. p. 271.

should be taken into the army.[1] Silas Deane, in private letters, expressed at this time, his belief that it would be utterly impossible to maintain the American army for another year; and even after the surrender of Cornwallis, no less a person than Sir Henry Clinton assured the Government that, with a reinforcement of only 10,000 men, he would be responsible for the conquest of America.[2] The condition of the finances was utterly ruinous. In July 1782, Robert Morris, who managed them with great ability, submitted to the Congress his budget for 1783. At least nine millions of dollars were necessary, and it was calculated that five millions might be imposed upon the States, and that the remainder must be raised by loan. It was also necessary to take some measure to secure the payment of the interest of the national debt, and as it had become quite clear that this could only be done by a revenue law which would operate through the whole Union, Congress asked power from the States to levy a duty of five per cent. on imports. But Rhode Island refused to consent; Massachusetts consented only after long hesitation, and its governor, Hancock, vetoed the Act; while Virginia, in language very like that which it had used against England at the time of the Stamp Act, denounced the idea of Congress levying taxes within its border as injurious to its sovereignty and likely to be destructive to its liberty.[3] The scheme, therefore, which was intended to be the main support of American credit, was abandoned, and at the same time the States showed the greatest possible reluctance to pay the quotas of the expense of the year which Congress had assigned to them. Of the five millions of dollars, 422,000 only could be collected. Delaware and the three most southern States gave nothing; Rhode Island gave proportionately most, and it gave a little more than a sixth part of its quota. Credit was gone, and the troops had long been unpaid. 'The long sufferance of the army,' wrote Washington in October 1782, 'is almost exhausted. It is high time for a peace.'[4]

Nothing, indeed, except the great influence, the admirable moderation and good sense, and the perfect integrity of Wash-

[1] Washington's *Works*, viii. 255, 271.
[2] Adolphus, iii. 394.
[3] Bancroft's *History of the United States*, x. 571, 572.
[4] Ibid. 573.

ington could have restrained the army from open revolt. The men, who had borne the whole brunt and burden of the war, who had shown in many instances the most admirable patriotism and self-sacrifice, found themselves reduced to penury, and overwhelmed with debts, because the States evaded or neglected the obligations which were imposed on them, and the belief was very generally spread among them that as soon as the peace had made them no longer necessary, they would be cheated of what was due to them. Congress, after a long period of vacillation, had in October 1780 at length pledged itself by a resolution to give the American officers half-pay for life, and by this measure alone had prevented the army from disbanding. The pledge was binding upon the nation as the clearest and most sacred obligation of honour, but was it likely that it would be observed? It had been carried in spite of strong opposition. The New England patriots were fiercely hostile to half-pay as savouring of the abuses of a monarchy, and tending to establish a military caste. It was very doubtful—such at least was the opinion which the American officers had formed of their legislators—whether Congress would wish to fulfil its promise. It was equally doubtful whether it would be able to do so. Since the resolution had been carried, the Articles of Confederation, which required the concurrence of nine States to any Act appropriating public money, had been adopted, and nine States had never been in favour of the measure. The States had hitherto refused to establish any continental funds for the payment of the debt to the army. Under these circumstances, a feeling of deep suspicion and of bitter resentment had spread through the ranks, and especially among the officers, and it took forms that were very ominous. An extreme disgust at republican government was openly expressed, and it was clearly intimated to Washington that if he would accept a crown he might obtain it. Anonymous addresses, written with great ability, and known to represent the opinions of a large body of officers, were circulated in the army, recommending the officers to relinquish the service in a body if the war continued, or to retain their arms in case of peace if Congress refused to comply with their demands. It was with great difficulty, and by great management, that Washington could in

some degree appease the storm, while the fact that he had himself refused all reward for his services gave him a special weight in pleading the cause of his soldiers. The promised half-pay was found to be so unpopular in several States that it would have been impossible to vote it, so it was agreed to commute it for a gross sum equal to five years' pay, and, in spite of a scream of indignation from New England, the requisite majority of the States were at last induced to secure that this should be paid at the end of the war.[1]

Holland, immediately after the surrender of Yorktown, had recognised the independence of America, which had as yet only been recognised by France. John Adams was received as representative at the Hague, and after several abortive efforts he succeeded in raising a Dutch loan. France, as her ablest ministers well knew, was drifting rapidly towards bankruptcy, yet two American loans, amounting together to 600,000*l.*, were extorted in the last year of the war. Up to the very eve of the formal signature of peace, and long after the virtual termination of the war, the Americans found it necessary to besiege the French Court for money. As late as December 5, 1782, Franklin wrote from Paris to Livingston complaining of the humiliating duty which was imposed on him. 'It is in vain for me,' he wrote, 'to repeat again what I have so often written, and what I find taken so little notice of, that there are bounds to everything, and that the faculties of this nation are limited, like those of all other nations. Some of you seem to have established as maxims the suppositions that France has money enough for all her occasions and all ours besides.'[2] The reply of Livingston was dated January 6, 1783, and it paints vividly the extreme distress in America. 'I see the force,' he writes, 'of your objections to soliciting the additional twelve millions, and I feel very sensibly the weight of our obligations to France, but every sentiment of this kind must give way to our necessities. It is not for the interest of our allies to lose the benefit of all they have done by refusing to make a small addition to it. . . . . The army

[1] Sparks' *Life* in Washington's *Works*, i. 385–392. See, too, viii. 398–406. Hildreth, iii. 427–433. Curtis, *History of the Constitution of the United States*, i. 159–170, 190–194.

[2] American *Diplomatic Correspondence*, iv. 48.

demand with importunity their arrears of pay. The treasury is empty, and no adequate means of filling it presents itself. The people pant for peace; should contributions be exacted, as they have hitherto been, at the point of the sword, the consequences may be more dreadful than is at present apprehended. I do not pretend to justify the negligence of the States in not providing greater supplies. Some of them might do more than they have done; none of them all that is required. It is my duty to confide to you, that if the war is continued in this country, it must be in a great measure at the expense of France. If peace is made, a loan will be absolutely necessary to enable us to discharge the army, that will not easily separate without pay.'[1]

It was evident that the time for peace had come. The predatory expeditions which still continued in America could only exasperate still further both nations, and there were some signs—especially in the conflicts between loyalists and revolutionists—that they were having this effect. England had declared herself ready to concede the independence America demanded. Georgia and South Carolina, where the English had found so many faithful friends, were abandoned in the latter half of 1782, and the whole force of the Crown was now concentrated at New York and in Canada. France and Spain for a time wished to protract negotiations in hopes that Rodney might be crushed, that Jamaica and afterwards Gibraltar might be captured; but all these hopes had successively vanished. It was true that the united navies of the two branches of the House of Bourbon still outnumbered the navy of England even without the assistance of the Dutch, and France was making strenuous efforts to repair the injury done to her navy by the victory of Rodney, but the dockyards of England were equally active. England in the last year had increased her navy, chiefly by capture, by no less than seventeen vessels, while France alone had suffered a diminution of thirteen ships of the line;[2] and the navy of England was flushed by a great victory, while the navy of France was depressed by a great defeat. If the war continued much longer America would almost certainly

[1] American *Diplomatic Correspondence*, iv. 62–63.
[2] *Annual Register*, 1783, p. 157.

drop away, and France, and perhaps Spain, become bankrupt. After many disputes about forms, and some unnecessary delay, the terms of peace between England on the one hand, and America, France and Spain on the other, were settled, in the latter part of 1782. England was represented in the negotiation by Oswald and Fitzherbert; France by Vergennes; Spain by D'Aranda; America by Franklin, John Adams, and Jay. The provisional articles of peace between England and the United States were signed on November 30, 1782, and the preliminary articles with France and Spain on January 20, 1783. Peace with Holland was not yet concluded, but a truce was signed which put an end to the war.

Compared with the peace of Paris, the new peace was necessarily a humiliating one, for the balance of losses in the war had been greatly against England. At the same time almost all that she relinquished to her European enemies had been taken from them in the late wars, and a considerable part of what had been gained by the peace of Paris was still retained. By the treaty with France, that power was guaranteed, with some slight modifications, the right to fish off Newfoundland, which had been acknowledged by the treaties of Utrecht and of Paris, and the little neighbouring islands of St. Pierre and Miquelon passed into her complete possession. In the West Indies, England restored St. Lucia and ceded Tobago, but she received back the important island of Dominica and the small islands of Grenada, St. Vincent, St. Christopher, Nevis, and Montserrat. In Africa, Senegal and Goree became French; while Fort James and the river Gambia remained English. In India the French regained their establishments in Orissa and Bengal, Pondicherry and Carical, the Fort of Mahé, and the commercial establishment of Surat, and they also acquired some considerable trade privileges; and finally, the humiliating article of the treaty of Utrecht which enjoined the demolition of the harbour and fortress of Dunkirk was abrogated.

All the efforts of Spain, by negotiation as well as by arms, to obtain Gibraltar were in vain, but Minorca was once more united to the Spanish crown. Spain retained West Florida, and England ceded to her East Florida. Spain, on the other

hand, guaranteed the right of the English to cut logwood in Honduras Bay, and she restored Providence and the Bahama isles.

It was easy to exaggerate the importance of every concession made by England, and to contend that after the victory of Rodney and the virtual cessation of the American war it was unnecessary. Candid men will, however, remember how enormously England was outnumbered by her enemies, how doubtful even yet was her naval ascendency, how fatally it might have been affected by a single naval defeat, how crushing was the weight of the national debt, how numerous were the English possessions which were actually in the hands of the enemy. The points on which the Opposition especially dilated were the dangers to the Newfoundland fishery resulting from the right the French obtained of fortifying the islands of St. Pierre and Miquelon, the danger to England from the apprehended fortification of Dunkirk, the injury done to the English cotton manufacture by the cession of Tobago, and the absence of any provision guaranteeing liberty of worship and an undisturbed residence to the many loyal subjects of England in East Florida. On the whole, however, the treaties were probably as good as could be expected, and it is not likely that a continuance of the war would have ameliorated the position of England.

The treaty with the United States gave greater scope for adverse criticism. Parliament had indeed already simplified the question by its resolution in favour of the complete recognition of the independence of the thirteen States, and the Americans soon abandoned their demands for the cession of Canada and Nova Scotia, and for compensation for private property destroyed in the course of the war. The question of boundaries, however, presented great difficulty, and Shelburne determined, probably wisely, that he would if possible lay the foundation of future friendship by acting as liberally as possible in his concessions. The vast unsettled western country, inhabited chiefly by the Indians, which lay between the Alleghanies and the Mississippi was acknowledged to be part of the United States, England only retaining the right of

free navigation of the Mississippi, which was made the western boundary of the United States, and divided its territory from that of Spain. This concession gave an immense field for the future development of the United States, while from its geographical position it was impossible that England could exercise any control in those quarters. The Canadian frontier had always been a matter of great doubt, but it was at last determined to abandon the boundary which had been settled by the Quebec Act in 1774, as well as that which England had endeavoured to assign to it in 1754, when it belonged to the French, and to take a new and intermediate boundary extending through the great lakes, and granting to the United States a large part of what the Quebec Act had reckoned as belonging to Canada and Nova Scotia. This territory contained only a very few scattered white men, but the Opposition complained bitterly that in the north as well as in the west several important forts, raised and maintained at English expense, were ceded without compensation; that a boundary line which approached within twenty-four miles of Montreal was inconsistent with the security of what remained of Canada; that the fur trade, which had hitherto been a monopoly of the Canadian merchants, was at least divided with American merchants; and that no less than twenty-four tribes of Indians, who had been thoroughly loyal to the British crown, were handed over, without the smallest stipulation in their favour, to the American rule. The Americans had liberty to fish on all the banks of Newfoundland and in the Gulf of St. Lawrence, but they were not permitted to dry or cure fish on the island of Newfoundland. It was noticed that there was no corresponding authorisation for British subjects to fish on American coasts.

There were two other points which excited great difficulty. England demanded that the private debts incurred by American citizens to English citizens before 1775 should be recognised as binding. This was indeed a question of the simplest honesty, and there were considerable old debts outstanding, chiefly to Glasgow merchants, which, when the troubles began, the Americans had been unwilling or unable to pay. Franklin strenuously opposed the demand, ingeniously alleging that much of the merchandise

from the sale of which these debts ought to have been paid had been destroyed by English soldiers during the war. John Adams, however, whose sense of honour was much higher than that of his colleague, fully admitted the justice of the English claim, and declared 'that he had no notion of cheating anybody,' that 'the question of paying debts and compensating Tories were two.'[1] The dispute was ultimately settled by a general clause stating 'that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all *bonâ fide* debts heretofore contracted.'

The other question at issue was one in which the honour of England was deeply concerned. It was that those who had taken arms for the Crown should be restored to their country and their rights, and should regain the estates that had been confiscated, or at least obtain an equivalent for their loss. On these points, however, the American plenipotentiaries were obdurate. All that could be obtained was an engagement that there should be no future confiscations or prosecutions on account of the part taken in the war; that Congress would 'earnestly recommend it to the legislatures of the respective States' to restore the confiscated estates of real British subjects, and of Americans who had not actually taken arms for the British; that Congress would also earnestly recommend that loyalists who had taken arms should receive back their estates on refunding the money which had been paid for them, and that such persons should have liberty to remain for twelve months in the United States 'unmolested in their endeavours' to obtain the restitution of their confiscated estates and rights.

Perhaps the most remarkable fact in the negotiation which led to the American peace was that in its latter stages the parties most seriously opposed to one another were not the English and Americans, but the Americans and the French. Franklin, it is true, always leaned to the French side, and showed much gratitude to France and some animosity to England; but John Adams had long disliked and distrusted Vergennes,[2] and Jay, who had at one time been an ardent advocate of the French alliance, changed into the most violent hostility. 'He

[1] Fitzmaurice's *Life of Shelburne*, iii. 293.

[2] See Adams' Life. *Works*, i. 320, 321.

thinks,' wrote Franklin, 'the French minister one of the greatest enemies of our country, that he would have straitened our boundaries to prevent the growth of our people, contracted our fishery to obstruct the increase of our seamen, and retained the royalists among us to keep us divided; that he privately opposes all our negotiations with foreign courts, and afforded us during the war the assistance we received, only to keep it alive that we might be so much the more weakened by it; that to think of gratitude to France is the greatest of follies, and that to be influenced by it would ruin us. He makes no secret of his having these opinions, and expresses them publicly, sometimes in presence of the English ministers.'[1]

Considering all that France had done for America, such language sounds very strange, but it is not difficult to explain it. While the French minister had never wavered in his determination to secure the independence of the old English colonies in America, he had, as we have seen, uniformly discouraged all attempts to annex Canada to them, and he aimed at the establishment of a balance of power in America in which neither England nor the United States should have a complete ascendency. In accordance with the same policy he contended that the country of the great lakes was incontestably either a dependency of Canada or the property of Indians, and that the United States had no title to it. In October 1782, Vergennes expressed these views in a secret dispatch to the French envoy in America; he added, with some bitterness, that once the French ceased to subsidise the American army it would be 'as useless as it has been habitually inactive,' and he expressed his astonishment at the new demand for money, while the Americans obstinately refused the payment of taxes. 'It seems to be much more natural,' he wrote, 'for them to raise upon themselves, rather than upon the subjects of the King, the funds which the defence of their cause exacts.'[2] A month later he intimated to the French ambassador at Madrid his determination not to continue the war on account of the ambitious pretensions of the Americans, either with reference to the fisheries or to their boundaries.[3] France had herself an in-

[1] American *Diplomatic Correspondence*, iv. 138.

[2] Bancroft's *History of the United States*, x. 582.

[3] Ibid. p. 588.

terest in the Newfoundland fishery, and the French agents strongly denied the right of the Americans to an unrestricted participation in it. The fishery of the broad sea, they said, is by natural law open to all; coast fisheries, apart from express treaty provisions, belong exclusively to the sovereigns of the coast; and the Americans, in ceasing to be British subjects, had lost all right to fish upon an English coast.[1]

The Americans soon discovered that on these two important questions the influence of France was hostile to them, and on the question of the Mississippi boundary the same opposition appeared. The country bounded on the north by Canada, on the south by part of Florida, on the west by the Mississippi, and on the east by the Alleghany Mountains, fringed the whole length of the United States; and although it had not yet been appropriated or divided into States, it was the great field in which the ultimate expansion of the English race might be anticipated. According to the Spaniards the boundaries of Florida extended far into this country, but England had never acknowledged the claim. In the proclamation of 1763 the country was recognised as Indian territory external to the English establishments.[2] Vergennes agreed with Spain that the United States were nowhere in contact with the Mississippi. The northern portion of the disputed territory, as far down as the Ohio, he thought should be considered part of Canada, in accordance with the boundary defined by the Quebec Act. The southern portion, in accordance with the proclamation of 1763, he wished to be considered Indian territory, under the joint protectorate of Spain and the United States.

The question was one which had been for some time pending. In 1779, Congress had put forward an ultimatum for peace, in which they claimed the Mississippi for their western boundary. In 1780, however, when the question of a Spanish alliance was raised, the French envoy had strongly represented that the States had no right whatever to this western territory or to the navigation of the river; that the Spanish conquests would probably spread over this country, and that an abandonment of the claim to the Mississippi boundary was indispensable if

[1] Circourt, ii. 243.

[2] See the memorial of Rayneval on the subject. American *Diplomatic Correspondence*, viii. 156–160.

Spain was to be induced to co-operate in the war. Congress listened to the advice, and silently dropped the claim, making a simple acknowledgment of the independence of the States the sole condition of peace.[1] The claim, however, to the Mississippi boundary was now revived, and as it was a matter of little or no importance to England, it produced the curious spectacle of a kind of alliance between the English and American diplomatists in opposition to those of France and Spain.

The motives of the French ministers appear to have been twofold. They were consistently jealous of the too great expansion of the new State, and they were anxious to assist their allies the Spaniards. France had found herself unable to fulfil her pledge of recovering Gibraltar by arms; she had failed in her attempts to induce England to cede it in exchange for Oran, or West Florida and the Bahama islands, or Guadeloupe, and she had equally failed in her intention of restoring Jamaica to Spain. Under these circumstances, Vergennes would gladly have compensated Spain by giving her the power of extending her dominion through the unoccupied territory to the west of the inhabited part of the United States, and by securing to her the sole navigation of the Mississippi.

The antagonism on these points was very keen. Oswald placed in the hands of Jay a despatch from Marbois, the secretary of the French legation at Philadelphia, which had been intercepted by the English, and which showed an extreme hostility to the claims which Samuel Adams and a large party in New England were putting forward to participate in the fisheries.[2] Vergennes sent his favourite secretary Rayneval with profound secresy to London to communicate with Shelburne. Jay heard of it, and at once despatched a secret messenger of his own to counteract the negotiation. Oswald appears to have told Jay very strange stories of intimations that French ministers were said to have given in 1780 and 1782, to influential Englishmen, of their willingness to terminate the contest by dividing the American colonies between France and England,[3] and the Americans were quite aware that the French were opposing their

[1] Fitzmaurice's *Life of Shelburne*, iii. 169–173.
[2] See this letter in Jay's *Life*, by his son, i. 490–494.
[3] Ibid. i. 156–159.

claims to the fisheries and to the extended boundaries. On the Mississippi question the parts were so curiously inverted that Jay strongly maintained in opposition to Spain the right of the English to a free navigation on that river, and he even urged that England should retain West Florida for herself, instead of ceding it to Spain.[1] England, on the other hand, with some restrictions which were easily compromised, was ready to meet the American demands. The United States obtained a much greater extension to the north and to the west, and a much greater share in the Newfoundland fishery than the French considered they had a right to, and the alliance between France and America was seriously impaired.

In June 1781, Congress had, perhaps imprudently, consented, at the wish of the French ministers, to bind their commissioners by instructions which placed the whole control of the negotiations for peace in the hands of the French. The recognition of independence was alone made indispensable. For the rest the language of the instructions was as explicit as possible: 'You are to make the most candid and confidential communications upon all subjects to the ministers of our generous ally the King of France; to undertake nothing in the negotiations for peace or truce without their knowledge and concurrence, and ultimately to govern yourself by their advice and opinion.'[2] No words could more distinctly pledge the American commissioners to France. But in spite of them, Vergennes complained that on the very eve of the peace he could obtain only the vaguest and most unsatisfactory answers about the proceedings of the American negotiators, and those negotiators at last signed the preliminary articles without his knowledge. 'As we had reason,' they wrote to Livingston when announcing this step, 'to imagine that the articles respecting the boundaries, the refugees, and fisheries did not correspond with the policy of this court, we did not communicate the preliminaries to the minister until they were signed.'[3]

They were communicated immediately after, with the

[1] Fitzmaurice's *Life of Shelburne*, iii. 272.

[2] Trescot's *Diplomacy of the Revolution*, p. 110. See Franklin's *Works*, ix. 458.

[3] American *Diplomatic Correspondence*, x. 120.

exception of one article, which was kept separate and secret, defining the northern boundary of West Florida if that province were retained by Spain. Vergennes complained bitterly that the commissioners, in signing the articles without the knowledge of the French ministers, without even informing themselves of the state of the negotiations between France and England, had been guilty of a gross breach of faith and of gross ingratitude. John Adams, he added, on his return from Holland to take part in the negotiations, had passed nearly three weeks in Paris without the ordinary attention and courtesy of calling on him. In a confidential and very remarkable despatch he directed Luzerne, who was French minister in America, to inform the chief members of the Congress of the conduct of the American commissioners, and he complained of the difficulties which it threw upon France, which had to attend not only to her own interests, but also to those of Spain and Holland. The French negotiation with England, he said, was still by no means terminated, 'not that the king, if he had shown as little delicacy in his proceedings as the American commissioners, might not have signed articles with England long before them.' 'I accuse no person,' he concluded; 'I blame no one, not even Dr. Franklin. He has yielded too easily to the bias of his colleagues, who do not pretend to recognise the rules of courtesy in regard to us. All their attentions have been taken up by the English whom they have met in Paris. If we may judge of the future from what has passed here under our eyes, we shall be but poorly paid for all that we have done for the United States and for securing to them a national existence. I will add nothing in respect to the demand for money which has been made upon us; you may well judge if conduct like this encourages us to make demonstrations of our liberality.'[1]

Franklin, who was most anxious to retain both for his country and for himself the good opinion of France, answered the remonstrance of Vergennes in a very apologetical strain. He admitted that the Commissioners had 'been guilty of neglect-

[1] The letters of Vergennes to Franklin and to Luzerne are printed in the American *Diplomatic Correspondence*, and also in Franklin's *Works*, ix. 449, 450, 452–456.

ing a point of *bienséance*;' but he urged that 'nothing had been agreed to in the preliminaries contrary to the interests of France,' that the articles were merely provisional, and that no peace could take place between America and England till peace had also been made between France and England. He expressed the most lively gratitude to the French King, and his hope 'that the great work, which has hitherto been so happily conducted, is so nearly brought to perfection, and is so glorious to his reign, will not be ruined by a single indiscretion of ours. And certainly,' he added, 'the whole edifice sinks to the ground immediately, if you refuse on that account to give us any further assistance.'[1] This hope was fulfilled. France had already resolved to grant America a new loan, though her own finances were strained almost to the uttermost. She did not allow the conduct of the Americans to alter her determination, and a few days after the correspondence I have quoted, six millions of livres were granted. At the same time Vergennes wrote very earnestly to Luzerne urging him to impress upon Congress that it was by no means certain that peace had as yet been finally attained.[2] It was plain that Shelburne's Ministry would not last, and there was much reason to fear that Fox if he came to power would be disposed to continue the war with France provided he could make peace with America. The fear that had long haunted Vergennes, that America might be detached from the alliance, and that the whole power of England might be employed in a prolonged war against her European adversaries, was not even yet entirely dispelled.[3]

It suited the purpose of Franklin to represent the conduct of the Commissioners in signing the preliminary articles without the knowledge of the French ministers as a simple failure of courtesy, the omission of a diplomatic formality which ought to have been observed, but which was of no practical importance. It is obvious that this view was not the true one, and it is equally obvious from the letters of the Commissioners to their own Government that they were perfectly aware of the real importance

[1] Franklin's *Works*, ix. p. 451.
[2] Ibid. 456–457.
[3] See a remarkable letter of Montmorin to Vergennes detailing his argument with the Spanish minister (March 30, 1782).—Circourt, iii. 326–328.

of what they had done. Two of the Commissioners had conceived a profound distrust of the French Minister.[1] They believed that Rayneval had been sent to England to retard or prevent the recognition of American Independence, that the French Ministers desired to keep America in a state of permanent and humiliating dependence, and that they were acting falsely and treacherously towards her. For this suspicion there does not appear to have been the smallest real ground. The independence of the Americans had been the great aim which France had steadily pursued, and she was not in the least disposed to abandon it; nor does Vergennes ever appear to have opposed American interests on any point on which he had promised to support them. France was, however, endeavouring, as the principal member of a great coalition, to make peace, and she was seeking to reconcile many conflicting interests and to satisfy many conflicting claims. It is undoubtedly true that she desired that America should make a serious sacrifice of her prospects for the benefit of the other belligerents, and especially of Spain. The publication of the diplomatic correspondence of Vergennes shows that his relations with the Spanish Government were at this time very embarrassing. Florida Blanca, who directed Spanish politics, looked upon American independence with scarcely concealed detestation. He clearly saw the danger of the precedent to all colonial powers, and there were already serious disturbances in several parts of Spanish America.[2] The failure of nearly all the special objects of Spanish ambition had greatly irritated him, and after the defeat of the attack upon Gibraltar he was betrayed into some very ungenerous and unwarrantable insinuations directed against the French soldiers who had taken part in the siege.[3] Vergennes showed some natural resentment, but he had no wish to throw away the Spanish alliance, and every wish to gratify his ally. If his policy had been carried out it seems clear

[1] Jay's views on the subject are very fully put forward in a long letter to Livingston (American *Diplomatic Correspondence*, viii. 129–208), and the similar views of Adams are expressed in several letters in the same collection. Both Jay and Adams have found powerful defenders in their descendants and biographers. See the *Life of Jay*, by his son, and the *Life of Adams*, by his grandson. See, too, the valuable commentary of Mr. Sparks, American *Diplomatic Correspondence*, viii. 208, 212.

[2] See the letters of Vergennes to Montmorin.—Circourt, iii. 319, 320, 323–328.

[3] Ibid. iii. 329–330.

that he would have established a claim for concessions from England by supporting her against America on the questions of Canada and the Canadian border and the Newfoundland fishery, and that he would have partially compensated Spain for her failure before Gibraltar by obtaining for her a complete ascendency upon the Mississippi. The success of such a policy would have been extremely displeasing to the Congress, and Jay and Adams defeated it. Franklin very reluctantly acquiesced in the secret signature. Livingston, writing from America, strongly blamed it, and expressed his conviction that the suspicions of the Commissioners were unfounded. But the act was done, and if it can be justified by success, that justification at least, is not wanting.

The separate signature appears to have had one important effect upon European affairs. The cession of Gibraltar to the Spaniards had for some time been seriously considered in the Cabinet, and Shelburne himself was disposed to agree to it. After a long deliberation the Cabinet had actually resolved to exchange Gibraltar for Guadaloupe, when the news of the accomplished peace with America induced them to reconsider their determination.[1]

It is impossible not to be struck with the skill, hardihood, and good fortune that marked the American negotiation. Everything the United States could with any shadow of plausibility demand from England they obtained, and much of what they obtained was granted them in opposition to the two great powers by whose assistance they had triumphed. The conquests of France were much more than counterbalanced by the financial ruin which impelled her with giant steps to revolution. The acquisition of Minorca and Florida by Spain was dearly purchased by the establishment of an example which before long deprived her of her own colonies. Holland received an almost fatal blow by the losses she incurred during the war. England emerged from the struggle with a diminished empire and a vastly augmented debt, and her ablest statesmen believed and said that the days of her greatness were over. But America,

[1] Fitzmaurice's *Life of Shelburne*, iii. 305–306, 314. Lord Edmond Fitzmaurice's book contains, I think, the best and fullest extant account of the negotiations that led to the peace of 1783.

though she had been reduced by the war to almost the lowest stage of impoverishment and impotence, gained at the peace almost everything that she desired, and started with every promise of future greatness upon the mighty career that was before her.

The part of the treaty with England which excited most severe criticism was the abandonment of the loyalists. These unfortunate men had, indeed, a claim of the very strongest kind to the protection of England, for they had lost everything in her cause. Some had simply fled from the country before mob violence, and had been attainted in their absence. Others had actually taken up arms, and they had done so at the express invitation of the English Government and of English generals. Their abandonment was described by nearly all the members of the Opposition as an act of unqualified baseness which would leave an enduring stain on the English name. 'What,' said Lord North, 'are not the claims of those who, in conformity to their allegiance, their cheerful obedience to the voice of Parliament, their confidence in the proclamation of our generals, invited under every assurance of military, parliamentary, political, and affectionate protection, espoused with the hazard of their lives, and the forfeiture of their properties, the cause of Great Britain?'[1] It had hitherto nearly always been the custom to close a struggle, which partook largely of the nature of civil war, by a generous act of amnesty and restitution. At the Peace of Münster a general act of indemnity had been passed, and the partisans of the Spanish sovereign had either regained their confiscated properties, or had been indemnified for their loss. A similar measure had been exacted in favour of the revolted Catalans by France at the Peace of the Pyrenees, and by England at the Peace of Utrecht, and Spain had frankly conceded it. The case of the American loyalists was a still stronger one, and the Opposition emphatically maintained that the omission of any effectual provision for them in the Treaty of Versailles, 'unless marked by the just indignation of Parliament, would blast for ever the honour of this country.'[2]

This charge does not appear to me to be a just one. It is evident from the correspondence which has now been published

[1] *Parl. Hist.* xxiii. 452. [2] *Annual Register*, 1783, p. 164.

that Shelburne from the very beginning of the negotiation did all that was in his power to obtain the restoration of the loyalists to their civil rights and to their properties. He directed Oswald to make their claims an article of the first importance. He repeatedly threatened to break off the whole negotiation if it were not conceded, and he suggested more than one way in which it might be accomplished. Savannah and Charleston had, indeed, been evacuated; but New York was in the hands of the English till the peace, and they might reasonably ask for a compensation to the loyalists as the price of its surrender. A vast amount of territory to the south of Canada, and to the east of the Mississippi, had been conceded to the United States to which they had very little claim, and it was proposed by the English that lands in the uninhabited country should be sold, and that a fund should be formed to compensate the loyalists. Vergennes strenuously supported Shelburne, and urged, as a matter of justice and humanity, that the Americans should grant an amnesty and a restoration. As far as can now be judged, his motives appear to have been those of a humane and honourable man. He knew that the loyalists represented the real opinions of a very large section of the American people, and that he was himself mainly responsible for their ruin. If France had not drawn the sword, there is little doubt that they would still have been the leading class in America. The intervention, however, of Vergennes was attributed by Jay and Adams to the most malevolent and Machiavellian motives,[1] and the time had passed when a French minister could greatly influence American councils. The Commissioners took their stand upon the constitutional ground that Congress had no power to grant what was demanded, for the loyalists had been attainted by particular Acts of particular State legislatures, and it was only these legislatures that could restore them. That there was no disposition in America to do so they honestly admitted. Franklin, whose own son was a distinguished and very honourable loyalist, was conspicuous for his vindictiveness against the class, and he even tried to persuade the English negotiators that the loyalists had no claim upon England, for their misrepresentations had led her to

[1] See American *Diplomatic Correspondence*, vi. 453–457; viii. 207. Sabine's *American Loyalists*, 94–97.

prolong the war.[1] The loyalist question was one of those on which the three Commissioners were cordially united, and there is no doubt that they represented the dominant party in America.

Under these circumstances it was necessary to yield. It would, no doubt, have been possible to have continued the war solely upon this ground; but a year of hostilities would cost much more than would have been required as compensation, and it would have inflamed the American hatred of the loyalists to madness. Once the independence of America was recognised, it was not in the power of England to provide that they should live securely among a hostile population and under a hostile Government. The Americans clearly saw that England could not enforce the claims of the loyalists, and they therefore persisted in resisting them. Congress directed the commissioners to enter into no engagement respecting loyalists unless Great Britain promised compensation for losses caused to private persons by persons in her service during the war. The recommendation it ultimately made, in accordance with the terms of the treaty, to the State legislatures in favour of the loyalists was probably always intended to be a dead letter. The Legislature of South Carolina took some honourable and generous steps to heal the breach;[2] but in general popular feeling showed itself after the peace in the highest degree rancorous towards all who were suspected of Tory opinions. The loyalists whose properties had been confiscated, or who had been banished by acts of attainder, formed but a small proportion of the known sympathisers with the old Government. Mob violence, however, and many forms of injustice, made life almost intolerable for them in their homes, and emigration to British territory took place on a scale which had been hardly paralleled since the Huguenots. It has been estimated, apparently on good authority, that in the two provinces of Nova Scotia and New Brunswick alone, the loyalist emigrants and their families amounted to not less than 35,000 persons, and that the total number of refugees cannot have been much less than 100,000.[3]

[1] Franklin's *Works*, ix. 315.

[2] Sabine's *American Loyalists*, pp. 86-87.

[3] Jones's *History of New York*, ii. 259-268, 500-509. The estimate of the number of emigrants who took refuge in Nova Scotia and New Brunswick is made by Mr. de Lancey,

Many reasons conspired to strengthen the determination of the Americans to resist all demands in favour of the loyalists. The civil war between Whigs and Tories had, as we have seen, been much more savage than the war between the English and the Americans; and the revolutionary party attributed with some reason the long continuance of the struggle to the existence and to the representations of the great loyalist party in America. The power of Congress was still extremely uncertain; there was much difficulty in inducing the States to obey its mandates, and the restoration of the most active and enterprising leaders of the party disaffected to the new state of things might be very dangerous. The country was exhausted and impoverished and in no mood to pay anything, and strong personal and class interests were hostile to a restoration. The loyalists to a great extent sprang from and represented the old gentry of the country. The prospect of seizing their property had been one great motive which induced many to enter into the war. The owners of the confiscated property now grasped the helm. New men exercised the social influence of the old families, and they naturally dreaded the restoration of those whom they had displaced.

It remained for England to discharge her obligations to her exiled partisans. In 1782 and for some years later, regular annuities amounting to a little more than 40,000*l.* a year were granted as compensation to loyalists, but this sum was distributed among only 315 persons. Additional sums, amounting to between 17,000*l.* and 18,000*l.* a year, were granted occasionally, and for particular or occasional losses,[1] and it was agreed that officers who had served as volunteers in provincial regiments in America should receive half-pay.[2] When it had become clear that the States would not listen to the recommendation of Congress to restore the loyalists to their estates, an Act was carried authorising the appointment of commissioners to inquire into the circumstances and former fortunes of persons who were reduced to distress by the American troubles. The inquiry

the editor of Judge Jones's *Life*, from a careful examination of the records at Halifax.

[1] Wilmot's *Historical View of the Commission for Enquiring into the Losses and Claims of the Loyalists*, pp. 15–16. Sabine's *American Loyalists*, pp. 70, 71.

[2] *Parl. Hist.*, xxiii. 1050–1058.

dragged on slowly for several years. Miserable stories were told of hearts and minds that broke under the prolonged suspense, of once affluent loyalists who were driven to suicide and insanity, or were languishing in a debtor's gaol. In 1788 the subject was again discussed in Parliament, and in 1790 it was brought to a conclusion. The claimants in England, Nova Scotia, New Brunswick, and Canada were 5,072, of whom 954 either withdrew or failed to establish their claims. Among the remainder about 3,110,000*l.* was distributed. When it is added that many had received annuities, half-pay as military officers, grants of land from the Crown and special favours in the distribution of ordinary patronage, it will not, I think, appear that England showed herself ungrateful to her friends.[1]

The peace was, on the whole, unpopular in the country, and the Cabinet which made it seemed withering away. This was partly due to differences about its terms, but partly also to the unfortunate peculiarities of Shelburne, who still retained all his old power of alienating his colleagues. They complained of his arrogance and of his reticence, of his desire to monopolise authority and take important steps without consulting them. In January 1783 Richmond spoke to the king of Shelburne's 'assumption of too much power,' and declared that he would go no more to the Council, though he would remain in office to carry out the reforms of the Ordnance. Next day Keppel resigned, alleging his disapproval of the peace. About ten days later Lord Carlisle, who was Lord Steward, took the same step ostensibly on the ground of the desertion of the loyalists. The Duke of Grafton and Lord Camden had remained in the Government, when Fox seceded, chiefly because they considered themselves bound in honour to do so, as Shelburne at the time of the formation of the second Rockingham Ministry had at their request waived his claims to the Treasury. Camden, however, had only undertaken to remain in office for three months, and the letters that passed between him and Grafton show that both statesmen soon felt a profound distrust of their chief. They complained of his 'want of openness,' of his systematic withholding of confidence; and a few days after

[1] Sabine, pp. 107-112.

the resignation of Lord Carlisle, when the Duke of Rutland was introduced into the Cabinet without any previous information having been given by Shelburne to his colleagues, Grafton resigned the Privy Seal. 'Lord Shelburne's language,' he wrote, 'thoroughly convinced me that he expected to be the sole adviser to the King of measures of this sort,' and he spoke of his determination not to abet Shelburne in his views of becoming Prime Minister, and of his resolve to 'consider him but as holding the principal office in the Cabinet.' Camden disapproved of the resignation of Grafton, but he himself told Shelburne that he must claim his right of retiring after three months, and he was sometimes very doubtful whether he would remain so long. Conway was restive and discontented, and constantly talked of breaking with Shelburne.[1] Pitt, indeed, stood faithfully by him, and eulogised him eloquently in Parliament; but the sequel showed how little he liked him as a leader or a colleague, and he is reported afterwards to have said that whatever sins he might have committed in his ministerial capacity, he had atoned for them in advance by serving for nearly a year under Lord Shelburne.[2]

All these things pointed clearly to the speedy resignation of Shelburne. On the very morning of the day on which Grafton resigned, Camden strongly advised Shelburne to retire, on the ground that it 'unfortunately plainly appeared that the personal dislike was too strong for him to attempt to stem it.' A few days later Grafton learnt, 'from the best authority, that Mr. Pitt was desired to go from many of the most independent and respectable members of the House of Commons to advise, and even press Lord Shelburne to withdraw.'[3] Shelburne himself was very discontented with his position. He was much disposed to resign, but he determined at last, after some hesitation, that he would wait, as he had an undoubted right to do, for a decisive vote of the House of Commons. He was convinced, with some reason, that the peace was as good as the conditions of the war authorised; he had not in reality given up any principle he had professed, and while he was continually

[1] The fullest account of these divisions is in the Duke of Grafton's *Autobiography*. See, too, Fitzmaurice's *Life of Shelburne*, iii. 327–359. Fox's *Correspondence*, ii. 10–18.

[2] Russell's *Life of Fox*, i. 326.

[3] Grafton's *Autobiography*.

represented as the passive instrument of the King, he was himself full of suspicions, which appear to have been entirely unfounded, that the King was plotting against him and undermining his position. Situated as parties were, it was plain that Shelburne could not remain in office without a coalition, unless his party gave him the most ardent and self-sacrificing support, and, as Lord Loughborough a few months earlier had written, 'the Minister for whose immediate advantage they are to make such an exertion is a man neither liked nor respected, and to whom even interest could not easily reconcile the greater part of them.'[1] If Fox in the next few weeks had acted with common wisdom, it is probable that the Whig party would have speedily regained its unity and its ascendency.

It was obviously necessary to seek new allies and a new disposition of parties. According to a calculation reported by Gibbon, the Government could at this time count in the House of Commons upon 140 votes, Lord North upon 120, and Fox upon 90, the other votes being uncertain.[2] A combination of any two parties would, therefore, outnumber the third. The natural affinity of the Government party was with the separated Whigs, and Pitt accordingly had an interview with Fox to induce him to join the Government. Fox immediately asked whether Shelburne was to remain at the head, and being answered in the affirmative, he declared that he would never serve in a Government presided over by that statesman. Pitt rejoined that he had not come to betray Lord Shelburne and abruptly closed the interview. Attempts were then made to strengthen the Government by negotiations with followers of North, but without introducing North himself. The discussion of the preliminaries of peace in Parliament was fast approaching, and it remained to be seen what course the two sections of the Opposition would pursue.

The question was soon answered in a manner that at once astonished and scandalised the country. Fox and North were found to have made a coalition against the Government, and a coalition which was not confined to the single object of censuring the peace, but was intended to be a permanent alliance with a

[1] Auckland *Correspondence*, i. 7.
[2] Gibbon's *Miscellaneous Works*, iii. 262.

view to a future administration. In order to realise the full force of the impression which was made by this event, it is necessary to remember that during the whole course of the American war the chief interest of English parliamentary politics had lain in the furious attacks which Fox had made upon North, and that those attacks had been of such a nature that many considered it a shameful instance of tergiversation that he had not, on arriving at power, insisted on bringing his predecessor to a public trial. In one speech he had spoken of his 'unexampled treachery and falsehood.' In another he charged him with 'public perfidy and a breach of a solemn specific promise.' In a third he expressed his hope that the Ministers who made the American war would, 'through the indignation and vengeance of an injured and undone people,' be brought to expiate their crimes upon the scaffold. In 1778, when Lord Nugent spoke of the harmony with which all parties would support the Government against the foreign enemy, Fox repudiated the notion with indignation. 'What,' he said, 'enter into an alliance with those very Ministers who had betrayed their country, who had been prodigal of the public strength, the public wealth, and, what was still more valuable, the glory of the nation! The idea was too monstrous to be admitted for a moment. Did the noble lord think it possible that he would ally himself with those Ministers who had led us on from one degree of wretchedness to another . . . . who had lost America, ruined Ireland, thrown Scotland into tumult, and put the very existence of Great Britain to the hazard?'[1] As late as the formation of Shelburne's Ministry he had denounced it as likely to bring back to office the Ministers who made the American war. 'The principles of the late Ministry,' he said, 'were now in the Cabinet, and the next thing he should look for would be to see the late Ministers themselves again in office.'[2]

The sudden change from this language of intense animosity to a close alliance shocked and scandalised the country and ultimately ruined the Whig party. The project had been for some time in contemplation, and the two men who appear to

[1] Russell's *Life of Fox*, i. 80, 81, 210–212, 258, 259.
[2] *Parl. Hist.* xxiii. 174.

have first devised it were Loughborough and Eden. As early as July 1782 they agreed that the Shelburne Ministry could not possibly last, that the antipathy between Fox and Shelburne was too serious for reconciliation, and that the only way in which a strong and permanent administration could be formed was by uniting Fox and North.[1] Both Eden and Loughborough detested Shelburne, and the first frankly admitted that he was indignant because no offer had been made to him,[2] while the latter was probably largely influenced by a desire to supplant his old rival Thurlow. The characters of Fox and North rendered the coalition peculiarly easy. Both were singularly incapable of any rancorous or enduring animosity, and both were men on whose minds political principles hung very lightly. The amiable levity of the one, and the amiable weakness of the other were well fitted to agree. They had been at one time connected in the Government, and it appears probable that even in the moments of their fiercest opposition they were divided by no serious personal dislike. Walpole relates how after one of Fox's most furious invectives against Lord G. Germaine, North laughingly said to him, 'I am glad you did not fall on me, Charles, for you were in high feather to-day.' 'I may assert,' said Gibbon, who knew them both, 'with some degree of assurance that in their political conflict those great antagonists had never felt any personal animosity to each other, that their reconciliation was easy and sincere, that their friendship has never been clouded by the shadow of suspicion or jealousy.' On each specific question that arose Fox felt vehemently and passionately, and being beyond all things a debater, he expressed his views with the utmost energy his

[1] On July 14, 1782, Loughborough wrote to Eden: 'I have taken a notion that a strong and durable administration is not impossible. . . . The first thing is to reconcile Lord North and Fox. The first you know is irreconcilable to no man; the second will feel his ancient resentment totally absorbed in his more recent hostility which I think he has no other probable means of gratifying.' —Auckland *Correspondence*, i. p. 9. On August 22, Eden wrote to Loughborough: 'My view of the matter at present is this: the Foxites and Shelburnites are utterly irreconcilable, and each set has a large class of transferable appendages which might easily be attached to any well-formed Government. Under these circumstances, we might, I think, among us mould and fashion the third party in a way not unacceptable to the King or the public, and very useful to both.' —Ibid. pp. 28–29.

[2] Ibid. p. 30. Lord Carlisle also appears to have been animated by indignation at what he considered the personal disregard of Shelburne.—Ibid. p. 39,

vocabulary could furnish, but he thought little of the future effect of his words, and the recollection of old conflicts left no sting in his mind. Parliamentary reporting had only very recently risen to importance, and he never appears to have realised the tremendous significance and the enduring character which it gives to every word uttered in debate. In 1779 and in 1780, as we have seen, he had already been perfectly prepared to coalesce with at least a portion of the ministry which he had so fiercely assailed. If he had no present difference with a statesman, the fact that he had formerly opposed him scarcely weighed on his mind. Almost his only real personal antipathy was Shelburne, and it is remarkable that with respect to that statesman, North's feelings perfectly coincided with those of Fox.

Fox and North met on February 14, and they agreed to lay aside all former animosity, and to found an alliance 'on mutual goodwill and confidence,' 'Amicitiæ sempiternæ, inimicitiæ placabiles,' Fox afterwards said, when defending his conduct in Parliament: 'I disdain to keep alive in my bosom the enmities which I may bear to men when the cause of those enmities is no more. . . . The American war was the cause of the enmity between the noble lord and myself. The American war and the American question are at an end. . . . . While that system was maintained nothing could be more asunder than the noble lord and myself. But it is now no more, and it is, therefore, wise and candid to put an end also to the illwill and the feuds which it occasioned. When I was the friend of the noble lord I found him open and sincere, when the enemy, honourable and manly. I never had reason to say of him that he practised any of those little subterfuges, tricks, and stratagems which I found in others—any of those behind-hand and paltry manœuvres which destroy confidence between human beings and degrade the character of the statesman and the man.'[1]

The terms of the compact between the two statesmen were soon arranged. They agreed that after the measures of the Rockingham Ministry nothing more need be done towards reducing the influence of the Crown by economical reform, and

[1] Russell's *Life of Fox*, i. 353–354.

that this great question which had formerly divided them was for the present at an end. On the subject of parliamentary reform they still differed, but not more than Fox and Burke and they agreed that the question should be an open one, as it had been under the Rockingham Ministry. The essential need of the time in the opinion of Fox and Burke was to put an end to the system of weak, divided, and dependent ministries which had existed since the accession of George III., and to establish a strong and permanent Government which could command the whole energies of the State, and in which the direction of affairs should rest entirely with the responsible ministers of the Crown. This, in the opinion of the Whig leaders, should be the main object of the Whig party, and North declared himself fully prepared to co-operate with them in attaining it. When Fox urged that 'the King should not be suffered to be his own minister,' North answered, 'If you mean there should not be a Government by departments, I agree with you. I think it a very bad system. There should be one man or a Cabinet to govern the whole and direct every measure. Government by departments was not brought in by me. I found it so, and had not vigour or resolution to put an end to it. The King ought to be treated with every sort of respect and attention, but the appearance of power is all that a King of this country can have.'[1] It was hoped by Fox that on the downfall of Shelburne several members of his ministry would accept office under the new system, and that a Government of irresistible strength would thus at last be formed which no royal intrigue could influence or overthrow.[2]

The belief that the establishment of a strong, united, and independent administration was the first political need of the country, and the belief that no such administration could

[1] Fox's *Correspondence*, ii. 37–38.

[2] About a year before the coalition was formed Sir Gilbert Elliot wrote to Sir James Harris:—'The grand principle of distinction and separation between parties (the American dispute) is now removed. There is at least an opportunity, therefore, for coalition without the sacrifice of former principles on either side. That the opportunity may not be lost by the d——d intricacies of arrangements, private interests, and personal considerations should be the prayer morning and evening of every true lover of his country. *All* the ability of the country united to direct *all* the resources of the country to one good end is a prospect which I hope is not quite out of sight.'—Lady Minto's *Life of Sir G. Elliot*, i. 75–76.

possibly exist under the leadership of Shelburne, were the two grounds upon which the Coalition of 1783 was defended. There was another consideration which was probably not without its influence. There had been one instance in recent English history of a coalition which in some respects was not wholly unlike that of Fox and North. The torrent of invective and contempt which the elder Pitt had poured upon Newcastle had fully equalled that which Fox had poured upon North, and Pitt had made it his avowed and leading object to drive Newcastle out of political life. He failed in his attempt. He found the assistance of Newcastle essential to the stability of his Government. He allied himself with him at a time when his invectives were still ringing in the ears of members of parliament, and the Coalition ministry of 1757 had been perhaps the most glorious and successful in English history. The precedent at this time occurred to many minds. Chatham had familiarised English politicians with the idea of combining discordant politicians under the same political banner,[1] and there had been many attempts in the present reign to form a strong government by including in it men who, though they all called themselves Whigs, were in reality quite as hostile to one another as Fox and North. The essential question was whether the new Coalition could secure the confidence of the nation and put an end to the period of administrative impotence and anarchy. 'Unless a real good Government is the consequence of this junction,' wrote Fitzpatrick, 'nothing can justify it to the public.' 'Nothing,' said Fox himself, 'but success can justify it.'

There were, however, material differences between the Coalitions of 1757 and of 1783. Pitt had not to encounter the persistent hostility of the King. He allied himself with his former enemy for the purpose of conducting a great national war. He took not one means, but the only means of creating a strong and permanent Government, and his genius and character enabled him to sway with an irresistible power the national

[1] Eden, in a remarkable paper describing the secret negotiation he carried on with the Opposition, as the agent of the North Government in March 1778, mentions that Fox told him that 'he knew that Lord Chatham thought any change insufficient which did not comprehend or annihilate every party in the kingdom.'—Fox's *Correspondence*, i. 182.

sentiments. The abilities of Fox, though of a lower kind, were very great; but neither his private life nor his public life had been of a character to win the confidence of the English nation. Wilberforce expressed their sentiments with great truth when he described the Coalition as partaking of 'the vices of both its parents; the corruption of the one and the violence of the other.'

Many followers on both sides fell away; but it was noticed that there was most restiveness among the followers of North, and that the conduct of North was more blamed than that of Fox. He was much the elder statesman. His complete forgiveness of the outrageous attacks of which he had been the object seemed to the public mean-spirited and contemptible. The King had given him a larger measure of confidence and friendship than he had accorded to any other minister, had selected him as the special agent of his policy, had showered personal favours upon himself and his family.[1] North had now leagued himself with the statesman whom the King most bitterly detested, for the express purpose of restricting the royal influence. He led the party which, if it was not the most enlightened, was at least supposed to be the most steady and persistent in its policy, its principles, its prejudices, and its connections, and he had placed that party not merely at the mercy, but in a great measure under the direction of a man who had been for many years its most violent enemy He had, in fact, steered his fleet into the enemy's harbour. The terms of the alliance were so unequal that, although the Tories formed the larger portion of the Coalition, North, and Lord Stormont, who became President of the Council, were their sole representatives in the Cabinet.

The conduct of North appeared the more strange because during his late ministry he had shown himself not only willing but eager to abandon office. What his exact motives were must be left in some degree to conjecture, for he never fully explained them. It was argued by the advocates of the Coalition that the union of two out of the three parties had become absolutely inevitable; that if North took no active steps in this

[1] For the list of the favours conferred on North and his family see Jesse's *Memoirs of George III.*, ii. 421.

direction the bulk of his followers would certainly secede to the Government and the consequence of his party would be extinguished; that if he allowed an unpopular peace to pass unopposed his reputation would be irretrievably ruined. The world would say that he had tacitly confessed that no better terms could be expected after his war, and he would thus bear at once the odium of a disastrous war and of an ignominious peace. He was one of the most irresolute of men and extremely susceptible to personal influences, and his son, as well as some of his intimate friends, were very anxious for the alliance. For some time he refused, and declared that he would not connect himself with Fox, and that he intended to support Shelburne.[1] He appears, however, to have been irritated by perceiving that there was a desire to proscribe him personally. Shelburne leaned strongly to a junction with him; but Pitt, Camden, and Grafton all positively refused to serve with him. It accordingly became a main object of the administration to break up his party, to detach his followers, and to allure them into the ministerial ranks. An attempt was made to terrify him into supporting the preliminaries of peace by an assurance that Shelburne, if defeated, would at once resign, that Fox and Pitt would then combine to form a new Government, and that one of its first conditions would be the permanent exclusion of North from office. The information had a different effect from what was intended, for it induced North to hasten his junction with Fox.

It is possible that another and a nobler motive was not without its influence. In spite of his great sagacity and great parliamentary talents North could not but feel that his ministry had been a most disastrous one both for his country and for his own reputation, and it had been disastrous mainly because he had not acted on his own judgment, but had suffered himself to be systematically interfered with and overruled by the

[1] Auckland *Correspondence*, i. 41. Fox appears also to have had his moments of indecision. He called on the Duke of Grafton after the Coalition had been formed, and (the Duke says) 'dwelt on the necessity of the Cabinet proposing the head of the Treasury, and that nothing could move him and his friends from this point; he professed that he was totally at a loss to guess how affairs would turn out; he owned that he felt the greatest objections to join Lord North and his friends, and yet perhaps it was best, though he agreed it would not be lasting.'—Grafton's *Autobiography*.

King. No other English statesman had such bitter reason t feel the evil of royal intervention in politics, and it was per haps not unnatural that he should have wished to put an en to it, and in a new system and with new connections to regai some part of the reputation which he had lost.

For a time the alliance was completely successful. A reso lution censuring the terms of peace as unnecessarily bad wa introduced and was supported by both sections of the Opposition Judging from the reports in the 'Parliamentary History' th speech of North appears to have been by far the ablest and mos exhaustive in the debate; but Pitt was felt to have expresse the truth when he said that the resolution was much more du to a desire to force Lord Shelburne from the Treasury than t any real conviction that the ministers deserved censure for th concessions they had made. Many country gentlemen who ha been accustomed to look upon the support of the royal autho rity as the first object of their policy, and a few ardent re formers who had for years denounced North as the incarnatio and representative of all that was most corrupt in Englis politics, refused to follow their respective chiefs; but the reso lution of censure was carried on the morning of February 22 b 207 to 190. On the 24th Lord Shelburne resigned, and th other ministers only continued to hold their offices till their suc cessors were appointed.

The King bitterly resented his resignation, and believe that the position was still tenable.[1] Besides negotiating th peace, Shelburne had during his short ministry abolished severa superfluous offices; he had begun a negotiation for a commercia treaty with America based upon those free trade principle which he understood more fully and defended more ably tha any other contemporary statesman, and he had taken an oppor tunity to say that he was still in favour of parliamentary re form, and prepared to add one hundred members to the count representation. There is not the least reason to believe that he would have acted as a mere puppet in the hands of the King who, indeed, appears solely to have supported him through his detestation of Fox. Shelburne, however, was discontented with all about him, and was personally so unpopular that no combina-

[1] Buckingham *Papers*, i. 303.

tion was likely to succeed in which he was prominent. 'It was strange,' as Dundas said, 'the impression entertained of Lord Shelburne's character, but it was so.'

The King was furious at the success of the Coalition, and determined that he would not, except under the most extreme necessity, put himself into their hands. From February 24 till April 2 there was no fixed Government though Parliament was sitting, though the peace was not yet definitively signed, though the supplies had not yet been voted. The King applied to Pitt and offered to place him at the head of the Treasury, but after some deliberation, and with his usual great discretion, Pitt seeing that the time was not yet ripe, declined the splendid prize. The King sounded the other members of the Cabinet, but found that no one would undertake the task. He tried Lord Gower, but Lord Gower would give him no assistance. He tried to detach North from the Coalition, and offered him the Treasury on condition that Fox and his following were excluded. He then consented to admit Fox provided that someone belonging to neither party held the Treasury, but Fox positively insisted on the Duke of Portland. He consented at length to this also, but broke off the negotiation upon Fox's determination to remove Thurlow from the Chancellorship, and to place the Seals in commission. He again eagerly pressed the government on Pitt. He made overtures to Temple, who was still Lord Lieutenant of Ireland. He appealed without success to Thomas Pitt, the nephew of Chatham. He made no secret to anyone of the violence of his hostility to the new party. He spoke to William Grenville of North 'in terms of strong resentment and disgust,' and imputed to his conduct all the disasters of the country. Fox and the Duke of Portland he 'loaded with every expression of abhorrence.' He deputed Lord Ashburton to tell Shelburne that he would consider him a disgraced man if he ever supported the Coalition in government. Meeting Lord Guilford, the father of North, he went up to him wringing his hands and saying, 'Did I ever think, my Lord Guilford, that Lord North would have delivered me in this manner to Mr. Fox?' At his levée he was ostentatiously civil to Shelburne and his colleagues, and ostentatiously rude to the members of the Coalition. The Treasury, however,

was empty, and Parliament was impatient, and it was necessary to submit, and on April 2, 1783, the King at last consented to accept the Duke of Portland as the head of the Treasury, and to allow him to form the Government on his own terms.[1]

In a letter written on the previous day to Lord Temple he clearly showed the determination that animated him. 'I have been thwarted,' he said, 'in every attempt to keep the administration of affairs out of the hands of the most unprincipled Coalition the annals of this or any other nation can equal. I have withstood it till not a single man is willing to come to my assistance, and till the House of Commons has taken every step but insisting on this faction being by name elected ministers. To end a conflict which stops every wheel of Government, and which would affect public credit if it continued much longer, I intend this night to acquaint that *grateful* Lord North that the seven Cabinet Councillors the Coalition has named shall kiss hands to-morrow. . . . A ministry which I have avowedly attempted to avoid by calling on every other description of men, cannot be supposed to have either my favour or confidence; and as such I shall most certainly refuse any honours they may ask for. I trust the eyes of the nation will soon be opened, as my sorrow may prove fatal to my health if I remain longer in this thraldom. . . . I hope many months will not elapse before the Grenvilles, the Pitts, and other men of abilities, and character, will relieve me from a situation that nothing could have compelled me to submit to but the supposition that no other means remained of preventing the public finances from being materially affected.'[2]

In the new ministry the Duke of Portland was first Lord of the Treasury, Fox and North were joint Secretaries of State, Lord John Cavendish was Chancellor of the Exchequer, Keppel, who had now returned to his old allegiance, First Lord of the Admiralty, Stormont President of the Council, and Carlisle Privy Seal. Burke resumed his former place of Paymaster of the Forces, without a seat in the Cabinet. Sheridan was Secretary to the Treasury. Lord Northington was Lord Lieutenant of Ireland.

[1] The fullest account of these transactions will be found in the letters of W. Grenville describing his conversations with the King.—Buckingham *Papers*, vol. i.

[2] Ibid. i. 219.

The Great Seal was placed in commission, Loughborough being the Chief Commissioner. Richmond was urgently invited to join his old party, but he emphatically refused, saying that he had seen his name at the bottom of too many protests against North to serve with him. Fox was still more anxious to obtain the assistance of Pitt, but the young statesman of twenty-three, who had already twice refused the head of the Treasury, positively declined to serve with North, and he was now rapidly rising to the position of a great independent leader. Sandwich, who had long shared with North and Germaine the chief odium of the American war, and who had for many years been in the first rank of administration, consented to accept the politically insignificant office of Ranger of St. James' and Hyde Park.

The Coalition Government had great parliamentary strength, and it was a matter of some doubt whether it was seriously unpopular in the country. It is remarkable that among the desperate efforts that were made to prevent its establishment, the expedient of dissolving Parliament never seems to have occurred either to the King or to his advisers. Fox and Lord John Cavendish having accepted office were both returned unopposed, though the first represented Westminster, which was one of the most important town constituencies, and the second Yorkshire, which was the most considerable county constituency in the kingdom.

The few months that elapsed before the prorogation were not very eventful. Pitt brought forward again the subject of parliamentary reform in a series of resolutions, asserting that new measures were required for the prevention of bribery at elections, that boroughs should be disfranchised when the majority of voters were proved to be corrupt, and that an addition should be made to the representation of the counties and of the metropolis. The growing interest in the question was shown by the multitude of petitions that were presented, and the speech of the mover, though it appears in the parliamentary reports very verbose and a little juvenile in its rhetoric, seems to have made an extraordinary impression on all sides of the House. It is remarkable that Pitt still described 'the secret influence of the Crown' as 'sapping the very foundation of liberty by corruption,' and he attributed all the disasters of

the American war to the servility of Parliament. Fox strongly supported and North opposed the resolutions, and the latter, in an eloquent vindication of his American policy, asserted that, until a succession of unparalleled disasters had broken the spirit of the people, the American war had been the most popular that had been carried on for many years. The resolutions were rejected in a very full House by 293 to 149.[1] Sawbridge's annual motion for shortening the duration of Parliament was rejected by 56 to 121, and a measure of Pitt for reforming some abuses in public offices was carried through the Commons but rejected in the Lords.

In the Cabinet, though a few slight differences arose, the complete harmony of feeling that now subsisted between Fox and North prevented the smallest symptom of disruption. The minister whose conduct appears to have thrown most discredit on the Government was Burke, whose speeches for several months past had shown a wildness and a passion which was thought, with some reason, to indicate that his mind was positively diseased, and which sometimes almost deprived him of the ear of the House.[2] He was guilty, too, under the influence of an excessive but most ill-judged pity, of the extraordinary administrative blunder of restoring to their places two clerks who had been dismissed by his predecessor Barré on a well-founded charge of malversation, and who were still awaiting their trial. 'One of them,' Burke said, 'had been with him and appeared almost distracted. He was absolutely afraid the poor man would lose his senses; this much he was sure, that the sight of his grey hairs and the distraction in which he had seen him had so far affected and overcome him that he was scarcely able to come down to the House.'[3] On one occasion Sheridan actually forced Burke down

[1] *Parl. Hist.*, xxiii. 827–875.

[2] See Walpole's *Last Journals*, ii. 485, 553. The Prussian traveller Moritz was in the House when Burke made the extraordinarily wild speech on the occasion of his resignation which is reported in the *Parl. Hist.* (xxiii. 180–183). He says, 'Burke now stood up and made a most eloquent though florid speech in praise of the late Marquis of Rockingham. As he did not meet with sufficient attention, and heard much talking and many murmurs, he said with much vehemence and a sense of injured merit, "This is not treatment for so old a member of Parliament as I am, and I will be heard," on which there was immediately a most profound silence.'—Pinkerton's *Voyages*, ii. 569.

[3] *Parl. Hist.* xxiii. 903; Walpole's *Last Journals*, ii. 626–627. This clerk shortly after committed suicide.

upon his seat in order to prevent a furious explosion of passion.[1] On the great question of parliamentary reform, when he rose to speak, a crowd of members at once left the House, and Burke refused to proceed.[2] His language and images were sometimes of a kind that no deliberative assembly should have tolerated.[3] He was now studying Indian politics with a passionate earnestness, and the wrongs which had been perpetrated on the Indian people by Warren Hastings were beginning to take a complete possession of his mind.

The King treated his ministers with cold civility. He would make no peers. He would give no assistance. When Fox talked of amending the terms of peace the King curtly told him that he could take no further interest in the subject, and that it was no wonder that other nations slighted England after the vote of the House of Commons in February 1782 demanding the cession of America, and he recurred to this vote again and again. On the whole, however, Fox imagined that by showing himself studiously deferential he was slightly improving his position. The King's real feelings were, however, well known to his friends. Lord Temple mentions in his diary how the King spoke to him 'with strong expressions of resentment and disgust of his ministers, and of personal abhorrence of Lord North, whom he charged with treachery and ingratitude of the blackest nature. He repeated, that to such a ministry he never would give his confidence, and that he would take the first moment for dismissing them.'[4] He was profoundly unhappy, and was accustomed to say that he wished he were eighty or ninety, or dead. One slight and suspicious overture of reconciliation, however, was made. Thurlow intimated that if he received the Seals the disposition of the King would in some measure change; but Fox, who knew by experience that Thurlow was never so dangerous an enemy to a ministry as when he sat in its Cabinet, positively declined.[5]

The Prince of Wales had ostentatiously and indecently attached himself to the Coalition ministry, and the King was accustomed to call it his son's ministry. The Prince at this

[1] *Parl. Hist.* xxiii. 803.
[2] Ibid. 864.
[3] For an extreme instance of this see ibid. 918.
[4] Buckingham *Papers*, i. 303.
[5] Fox's *Correspondence*, ii. 95–96.

time came of age, and it was necessary to provide for his establishment. Fox proposed the very large sum of 100,000*l.* a year, which is said to have been already offered by Shelburne; and, although both North and Lord John Cavendish thought the sum too large, they suffered themselves to be overruled. The King agreed that the establishment of the Prince of Wales should be settled by Portland, and when Portland informed him of the intention of the Cabinet he was understood to have fully acquiesced. Soon after, however, when the House of Lords had been actually summoned, he declared his violent opposition to the plan. Desiring that the income of the Prince should be less large and more dependent, he offered 50,000*l.* a year out of his own Civil List. The ministers being now pledged to the Prince could not recede, and it appeared for a time probable that the King was about openly to break with and to dismiss them. On June 17 Fox wrote to Northington, that the administration would probably not outlive the next day. 'The whole,' he said, 'is quite sudden, and was never dreamt of by me, at least till yesterday. . . . The immediate cause of quarrel is the Prince of Wales's establishment, which we thought perfectly agreed upon a week ago.'[1] On Lord Temple's advice, however, the King appears to have determined not to make this the occasion of the dismissal, and the Prince of Wales extricated the ministry from their difficulty by releasing them from their pledge. He received 50,000*l.* a year from the Civil List in addition to the revenue from the Duchy of Cornwall, which was estimated at about 12,000*l.* a year, and Parliament voted 60,000*l.* for his outfit.[1]

One of the chief reasons that Temple gave for advising the King not to make this the occasion of an open breach was that the signature of the definitive treaties of peace was certain to injure the ministry. It was effected in September, and, as was anticipated, they were in no material respect different from the preliminary treaties which the present ministers, when in opposition, had so severely censured; though a few slight ambiguities were removed, and an additional clause was introduced for the protection of British subjects in Tobago. The terms of the peace

[1] Fox's *Correspondence*, ii. 114.
[2] Ibid., ii. 83–84, 112–117; Buckingham *Papers*, i. 304; *Parl. Hist.* xxiii. 1031–1041.

were, it is true, very different from those which Fox had insisted on when he was Secretary of State under Rockingham, but it would have been scarcely possible at this advanced stage of the negotiation to have reopened the settlement, and, at all events, only a very strong administration could have ventured on such a step. Holland, under the influence of France, had at last acceded to the preliminaries on the basis of a mutual restitution of conquests, except the town of Negapatam, which was ceded to Great Britain.

'The Coalition,' wrote Fox about this time, 'gains in my opinion both strength and credit, and the only source of weakness is in the idea of the King's dislike.' Even its opponents, he said, had now given up all hope of creating dissension between its two parts; while, 'on the other hand, Shelburne, Temple, Thurlow, Pitt, &c., are some of them quite unarrangeable, and have to my certain knowledge hardly any communication one with the other.' 'Next Session of Parliament,' he wrote in another letter, 'will be a great crisis. I own I am sanguine about it. Nothing can go so well as we do among ourselves; but in my particular situation it is impossible not to feel every day what an amazing advantage it would be to the country if it could ever be in such a state as to promise a permanent administration in the opinion of Europe. If Pitt could be persuaded (but I despair of it), I am convinced if he could, he would do more real service to the country than any man ever did.' 'However, the first business we shall have to bring on is of a very delicate nature—I mean the East Indian business.'[1]

This question was, indeed, one which it had become wholly impossible to evade, and during the last few years Indian affairs had again become very serious and pressing. The Supreme Council and the Supreme Court were violently opposed to one another, and a not less bitter quarrel divided Francis and the majority in the Council from the Governor-General, Warren Hastings. The invasion of Hyder Ali threatened for a time an almost complete destruction of the British power in India, and the complaints of maladministration do not appear to have at all diminished since the Act of 1773. In 1781 the Charter of the Company which was about to expire was renewed

[1] Fox's *Correspondence*, ii. 118–119, 208.

with some additional and stringent provisions. The Act stated that the Company had duly paid by June 1778 the loan they had obtained in 1773, that they had reduced their bond debt to the limits appointed in the Act of that year, and that since June 1778 they had been in possession of all the profits arising from Indian territory without any participation by the public, and it provided that the Company should pay a single sum of 400,000*l.* to the public in discharge of all claims on this account up to March 1, 1781. The former privileges of the Company were now extended till three years' notice after March 1, 1791. The Company were authorised to pay a dividend of 8 per cent. out of their clear profits, but three-quarters of the remainder was to go as a tribute to the public, and the ministers assumed a complete control over the civil and military administration of India.[1] A Select Committee, of which Burke was the most prominent member, was in the same year appointed to consider the disputes which had arisen, and also the whole administration of justice in India; and a second and secret Committee, of which Dundas was Chairman, was appointed for the more restricted purpose of inquiring into the causes of the war in the Carnatic and into the state of the British possessions on the coast. They appear to have done their work admirably, and their reports furnished a vast mass of authentic evidence, proving beyond all question the maladministration, fraud, and tyranny in India, the impossibility under the existing framework of government of repressing abuses or giving any unity to the administration, and the extreme unscrupulousness of many of the proceedings of Warren Hastings. The subject had much occupied Lord North among the many cares that darkened the last year of his ministry, and he had suggested that the power of the Governor-General as against the Council should be strengthened, and also that a tribunal should be established in England for the purpose of exercising jurisdiction over all servants of the Company in India. These two suggestions, as we shall see, were very fruitful; but the only step actually taken before the fall of Lord North was an enactment restricting the functions of the Supreme Court in matters relating to natives.

[1] 21 Geo. III. cap. 65.

In April 1782, when the Rockingham Government had been formed, the reports of the Secret Committee were printed, and the subject of the many crimes that had been committed in India was brought with great elaboration before the House of Commons by Dundas. The House considered the case fully proved, and a number of condemnatory resolutions were carried. The members of the Council of Madras were severely censured, and a bill of pains and penalties against them was read a first time. Warren Hastings the Governor-General of Bengal, and Hornby the President of the Bombay Council, were pronounced to have 'in sundry instances acted in a manner repugnant to the honour and policy of the nation, and thereby brought great calamities on India,' and the directors were enjoined to recall them. The conduct of Sullivan, the Chairman of the East India Company, and the conduct of Sir Elijah Impey, the Chief Justice, were censured in the strongest terms. An address was voted to the King for the recall of Impey, and it was at the same time resolved 'that the powers given to the Governor-General and Council by the East India Act in 1773 ought to be more distinctly ascertained.' The Court of Directors in obedience to Parliament made an order for the recall of Hastings, but the Court of Proprietors, emboldened by the death of Rockingham and the consequent change of Ministry, took the extraordinary step of negativing the resolution.[1]

Hastings was thus kept in power in defiance of both Parliament and the Directors. Shelburne appears to have been, on the whole, favourable to him; but he recalled Sir Elijah Impey, and the King's Speech, which he framed, recommended a fundamental change in the Government of India. No new step, however, was taken till the Coalition ministry arrived in power. A few days after that event, Dundas, who was now in opposition, introduced a Bill which, among other provisions, gave the King power to recall the principal servants of the Company, and invested at the same time the Governor-General of Bengal with powers which were little short of absolute. He urged that the first power ought to be immediately exercised against Hastings, whose retention of office after the recent resolutions of the House was a grave scandal, and that the

[1] Mill's *Hist. of British India*, iv. 375-378.

appointment of an honest and efficient governor, possessing almost uncontrolled authority, was the best means of checking the evils in India. He suggested Lord Cornwallis as the proper person for the post. A measure of this kind, however, emanating from the Opposition was certain to fail, and it now remained for the Government itself to undertake the question.

It was impossible that it could be much longer adjourned. The war of Hyder Ali had again thrown the finances of India into complete disorder. The conduct of the Proprietors in retaining Warren Hastings was both a gross insult to Parliament and a clear demonstration of the anarchical character of the constitution of the Company. All parties had pledged themselves during the last few years to the necessity of reforming the Government of India, and the magnitude of the abuses had been clearly disclosed by the reports of the Committees. As Burke afterwards declared, he was prepared to prove that from Mount Imaus to Cape Comorin, there was not a single prince who had come in contact with the Company who had not been sold, not a single treaty which the Company had made that they had not broken, not a single Prince or State that had trusted to them without being ruined.[1] No slight or superficial measure could deal with evils of this magnitude, and Burke, who took a leading part in framing the proposed legislation, was passionately in earnest in the cause. Two distinct Bills were introduced by the Ministry. One of them prescribed a number of detailed regulations for the administration of affairs in India. The other, which was much more important, changed the whole constitution of the Company. Fox did not adopt the suggestion of Dundas that absolute power should be given to a governor-general in India; but he adopted the other suggestion of Lord North of creating a Supreme Council in England. Instead of the existing Courts of Directors and Proprietors a new supreme body was to be appointed in England, consisting of seven Commissioners, who were to be named by the Legislature, who were to be immovable, except upon an address from either House of Parliament, for four years, and who were to have an absolute power of placing or displacing all persons in the service of the Company, of ordering and administering the

[1] *Parl. Hist.* xxiii. 1322.

territories, revenues, and commerce of India. The measure was limited to four years; but after that period Fox suggested that the nomination of the Commissioners should rest with the King,[1] and while the measure was in force the King was to have the power of filling up any vacancies that occurred in the body. A second or subordinate body, consisting of nine assistant-directors, chosen by the Legislature from among the largest proprietors, was to be formed for the purpose of managing the details of commerce. Like the supreme body, these assistant-directors were to hold their seats for four years; but they might be removed either by the King upon an address of either House of Parliament, or by the concurrent proposal of five of the chief Directors, and all vacancies were to be supplied by the vote of the Proprietors.

Such are the main features of this important measure which exercised so memorable an influence on English politics. Fox in introducing it was clearly conscious of its dangers. 'If I had considered nothing but keeping my power,' he wrote to one of his friends, 'it was the safest way to leave things as they are, or to propose some trifling alteration, and I am not at all ignorant of the political danger which I run by this bold measure; but whether I succeed or no, I shall always be glad that I attempted, because I know I have done no more than I was bound to do, in risking my power and that of my friends when the happiness of so many millions is at stake.'[2]

It may be gravely doubted whether the machinery provided by this Bill would have effectually checked the evils in India; but this question was scarcely touched by the opponents of the measure. Burke, whose noble genius had of late often shown itself strangely clouded and distorted, rose on this occasion to the full height of his power, and in a speech which deserves to rank among the masterpieces of the eloquence not only of the eighteenth century but of all time, he adjured the House to cast aside the mere passing and selfish interests of party warfare, and to legislate for the true and permanent benefit of the suffering millions of Hindostan. Fox in one of his noblest speeches dwelt upon the same theme, and there is not a shadow of reason for doubting that their motives in introducing the Bill

[1] Russell's *Life of Fox*, ii. 31–32. [2] Fox's *Correspondence*, ii. 219.

were perfectly single-minded. On the side of the Opposition, however, the interests of the Indian people do not seem to have weighed a feather in the scale. The outcry against the measure turned almost wholly around two arguments—the violation of the charter of the Company, which was resented by all the other chartered bodies in the kingdom, and the tendency of the measure to vest the patronage of India in a small permanent body of Whig politicians.

That the charter of the Company was in some respects completely subverted by the Bill is incontestable. Its essential feature was that the power which had hitherto been exercised by a board of Directors elected by the Proprietors of the Company, was transferred to a court, appointed in the first instance by Act of Parliament. At the same time, it was truly said that the violation was not greater than that which had been effected by the Act of 1773, and not greater than that which had been proposed by Dundas in his recent Bill, and that there was the most overwhelming evidence that it was absolutely necessary. The recent proceeding of the Court of Proprietors in keeping Hastings in office in defiance both of Parliament and of the Directors was a conspicuous proof of this necessity, and the reports of two Committees of the House of Commons had established beyond dispute that the existing authorities of the Company were incorrigibly corrupt, that the conflict between the different tribunals recognised by the charter had completely paralysed the administration of justice, and that the most horrible acts of oppression and fraud had in consequence been committed. This was in truth the main reason for legislating on Indian affairs. When Burke was taunted with his former speeches in favour of the chartered rights of the Company, he answered that he still held that the Company had a sole right to the territorial revenues of India, and that there was nothing in the measure to lower dividends or take away commercial privileges. A right to a monopoly of political power rested, however, on a different basis from a right to raise revenue, and Parliament, which gave it, might justly resume it when it was employed for the ruin and oppression of the subjects of the Crown.

The main popular argument, however, against the Bill was that it was intended to vest in the Whig party the whole

patronage of India, to secure it to them when they had passed out of office, and thus to give them an amount of corrupt influence which would enable them to balance the influence of the Crown, defy succeeding administrations, and control Parliament by their votes. Lord Fitzwilliam and the other Supreme Commissioners appointed by the Bill were men of the highest character; but they were all avowed partisans of the Government, and for four years the whole vast patronage of India would be at their disposal. It is creditable to the sagacity of North that he perceived from the beginning the use that would be made of this argument, and warned Fox that 'influence of the Crown and influence of party against Crown and people' were topics that were sure to be urged against the plan. Pitt appears to have been the chief originator of this objection, and he developed it with extraordinary skill, and with certainly not less extraordinary exaggeration. The Bill if carried, he said, would not fail to arm ministers with an influence that would make them dangerous to the State, an influence which would continue when the present Ministry was dissolved, an influence which no power could resist whether in or out of office. He denounced it as 'one of the boldest, most unprecedented, most desperate, and alarming attempts at the exercise of tyranny that ever disgraced the annals of this or any other country.'[1] The language of Thurlow was even more emphatic. In a paper presented to the King he described the measure as 'a plan to take more than half the royal power, and by that means disable the King for the rest of the reign.' If this Bill pass, he said in Parliament, 'the King will in fact take the diadem from his own head and place it on the head of Mr. Fox.'[2]

There are, as it appears to me, few things in the history of political exaggeration more extravagant than these assertions, and it may very reasonably be doubted whether such men as Pitt and Thurlow can for a moment have believed them. If the patronage and administration of India were to be vested in any elected body not chosen by the Proprietors, it is difficult to see what better course could have been adopted than to have

[1] *Parl. Hist.* xxiii. 1279.
[2] Buckingham *Papers*, i. 288; Stanhope's *Life of Pitt*, i. 146.

followed the precedent of the Act of 1773 and entrusted that nomination to the Legislature. The provision making the Supreme Commissioners under ordinary circumstances irremovable for four years was consistent with the general rule of Indian appointments, and it was plainly necessary if any real reform was to be effected. The period indeed for which they were to be appointed was, as Burke truly said, even too short for the exigencies of the case, and considering the distance of India and the magnitude and complication of the abuses which had grown up in the last twenty years, it was probable that the first four years would be wholly occupied with laying the mere foundations of reform. The object of the Bill was to regulate the administration of India as far as possible on the principles of a Court of Judicature, and if, as most persons now agreed, it was necessary to place an absolute power over Indian administration in the hands either of a person or a council, it seemed safer to entrust it to a body in England under the immediate eye of Parliament, than to a governor or a council in India. It would no doubt have been better if the Government had divided its appointments between the two parties, or had selected men who were not identified with either; but it is very doubtful whether any English Government of the eighteenth century in creating important offices in England would have acted in such a manner, and the notion that it was possible for the new court to outweigh the influence of the Crown, to defy successive administrations, and to obtain through its patronage an ascendency in Parliament, seems to me almost grotesquely absurd. These dreaded commissioners were only to hold their office for four years, and all vacancies were to be filled by the appointment of the Crown. They could be at any time removed by the King upon an address of either House of Parliament if they were found guilty of grave abuse of their powers, and no administration could exist in England which did not command a parliamentary majority. They were also obliged to perform all their duties under constant superintendence and control. They were bound, like the old directors, to communicate all their correspondence to and from India to the Secretary of State, and to lay before Parliament at short intervals all their proceedings, as well as the reasons for their more important

decisions.[1] To suppose that a body so formed and so limited could have been a serious danger to the constitution, even if it had been actuated by the most malevolent intentions, and had applied all its energies to English and not to Indian politics, appears to me absolutely extravagant. If, indeed, Fox's proposal had been carried out, and the nomination of commissioners after the first four years had passed to the Crown, the change would have been much more favourable than unfavourable to royal influence. The political importance, however, of this patronage was enormously exaggerated. Some very lucrative prizes would no doubt have fallen to the partisans of the ministers, but the immense majority of the offices must necessarily have been held by men whose lives were spent in India and who were wholly beyond the area of English politics.

The exaggerations of Pitt and Thurlow were repeated on all sides. One member declared that if the Bill passed it would consign 'the constitution, the liberties, the glory, and the dignity of the British empire to ultimate and certain ruin.'[2] Another predicted that 'the whole treasure of India poured forth like an irresistible flood upon this country would sweep away our liberties and all that we can call our own.'[3] Lord Camden himself foresaw the time when 'the King of England and the King of Bengal would be contending for superiority in the British Parliament.' The cry was speedily taken up in the country, and every artifice was employed to spread it. Tories denounced the bill as a monstrous attempt to deprive the sovereign of his power. Reformers denounced it as a colossal scheme for parliamentary corruption. The Bank and many other corporations petitioned against it as containing a precedent fatal to every charter in the kingdom. The King believed, or pretended to believe, that it would sap his throne, and he saw clearly that the time had come to strike a blow against the ministry he hated. In the House of Commons nothing could be done. The personal authority of the sovereign had been greatly and effectually reduced by the recent measures, and the Coalition Ministry fully retained its majority. The East

[1] See Fox's *Correspondence*, ii. 99, 218. *Annual Register*, 1784, pp. 59, 68. *Parl. Hist.* xxiii. 1200–1202. Mill's *History of British India*, iv. 381–390.

[2] *Parl. Hist.* xxiii. 1312.

[3] Ibid. 1229.

India Bill passed its final stages by majorities of 229 to 120, of 217 to 103, of 208 to 102. But in the Lords there was a large section who were connected with the Court and wholly subservient to the King, and it was possible to act upon these. Temple, who had just come over from Ireland, and Thurlow, who was eager to regain office, were the two chief counsellors of the King, and they urged that the Bill might be thrown out in the Lords, but only if the King himself intervened to influence votes. On December 11, while the Bill was before the Lords, Temple had a private audience with the King, and he came away bearing a paper written apparently with the King's own hand, authorising him 'to say that whoever voted for the India Bill was not only not his friend, but would be considered by him as an enemy.' The communication passed rapidly from bench to bench, and its effect was instantaneous. 'The bishops waver,' wrote Fitzpatrick, 'and the Thanes fly from us; in my opinion, the Bill will not pass.' On December 15 an adjournment was carried against the ministers by a majority of 8, and on the 17th the House of Lords rejected the Bill by 95 votes against 76. 'We are beat in the House of Lords,' wrote Fox immediately after, 'by such treachery on the part of the King, and such meanness on the part of his friends, as one could not expect either from him or them. . . . We are not yet out, but I suppose we shall be to-morrow. However, we are so strong that nobody can undertake without madness; and, if they do, I think we shall destroy them almost as soon as they are formed.'[1]

The King hoped that the ministry would have resigned, but they determined to spare him no part of the odium of the transaction. On the 15th, the very day of the first adverse vote in the Lords,[2] Mr. Baker moved in the House of Commons, 'that it was necessary to declare that to report any opinion, or pretended opinion of His Majesty, upon any Bill or other proceeding depending in either House of Parliament, with a view to influence the votes of the members, is a high crime and misdemeanour, derogatory

[1] Fox's *Correspondence*, ii. 221.

[2] This is the date given in the *Annual Register*, 1784, p. 70. According to the *Parl. Hist.* xxiv. 196, Baker's motion was on the 17th.

to the honour of the Crown, a breach of the fundamental privileges of Parliament, and subversive of the constitution of this country.' In spite of the vehement opposition of Pitt, this resolution, which was virtually a vote of censure upon the Crown, was carried by 153 to 80, with the support of the ministers. In the course of the debate Fox quoted with much applause a saying of George Grenville, the father of Lord Temple, when he had experienced 'a similar treachery.' 'I will never again,' he said, 'be at the head of a string of Janissaries who are always ready to strangle or dispatch me on the least signal.' By another resolution, which was moved by Erskine, the House pledged itself to pursue the redress of the abuses in the government of India, and pronounced any person to be a public enemy who should advise His Majesty to interrupt the discharge of that important duty. Late on the night of the 18th, the King having received no resignations from his ministers, sent a message to the two Secretaries of State ordering them immediately to deliver up their seals of office, and send them by their under-secretaries. Next morning their seals were delivered to Temple, who, as Secretary of State, wrote letters of dismissal to the other ministers.

It was comparatively easy to overthrow the ministry, but the difficulties of replacing it were enormous; and when, on December 19, Pepper Arden rose in the House of Commons to move for a new writ for the borough of Appleby in the room of William Pitt, who had accepted the offices of First Lord of the Treasury and Chancellor of the Exchequer, the announcement was received from the Opposition side with a loud burst of derision. So many leading statesmen had been absorbed in the coalition, and the attitude of the House of Commons was so decisively in its favour, that it was doubtful whether a new ministry could be even formed. Some forty-eight hours after accepting the seals of Secretary of State, Temple, who was expected to be the leader of the House of Lords, and on whose experience Pitt had much reliance, insisted on resigning, it is supposed because he did not obtain a dukedom. Neither Camden nor Grafton would throw their fortunes into an enterprise which seemed desperate. Shelburne, even in this moment of extreme necessity, Pitt determined not to call into the ministry.

The places were filled from various connections. Thurlow became again Chancellor. Lord Gower, who had been a prominent member of the Tory party in the beginning of Lord North's administration, tendered his services, and was made President of the Council. The Duke of Rutland, who had been one of the recent acquisitions of the Shelburne ministry, was Privy Seal. Lord Sydney and Lord Carmarthen were the Secretaries of State, and Lord Howe became First Lord of the Admiralty. The Cabinet consisted of only seven members; but the Duke of Richmond, though he for the present declined a seat in it, went back to his old office of Master-General of the Ordnance, and Dundas took his former place of Treasurer of the Navy.

The supporters of the fallen Government refused to regard these arrangements as serious, and believed that they must necessarily return almost immediately to power. They commanded an overwhelming majority in the House of Commons, and they at once made the false step of endeavouring to prevent a dissolution. According to the view of Fox, a measure of transcendent importance, which was supported by the great majority of the representative chamber, and which had no natural or constitutional danger to fear, had been suddenly arrested by a grossly unconstitutional interference of the sovereign, and there was no adequate reason for appealing to the constituencies or interrupting for any considerable period the course of affairs. 'No one,' he said, 'would say that the prerogative of dissolution ought to be exercised merely to suit the convenience of an ambitious young man,' and he declared that if a dissolution took place without any solid and substantial reasons, he would in the next Parliament 'move a very serious inquiry into the business and bring the advisers of it to account.' Pitt had not yet been re-elected, but Mr. Bankes assured the House that he was authorised by him to declare that he had at present 'no intention whatever to advise either a dissolution or a prorogation.' In spite of this assurance, an address to the King beseeching him to allow them to proceed on the business of the session without dissolution was carried. The King, in his answer, assured them that 'after such an adjournment as the present circumstances might seem to require,' he would not interrupt their meeting by any exercise of the prerogative either of pro-

rogation or dissolution, and on this assurance Fox consented to permit an adjournment for the brief Christmas holiday. The House separated on December 26, to meet again on January 12, 1784.

There is nothing in English parliamentary history more wonderful than the position occupied by Pitt in the struggle which ensued. Though Prime Minister and Chancellor of the Exchequer, he was not yet twenty-five, and as he was the only Cabinet minister in the House of Commons, he had to bear the whole brunt of the contest with one of the most formidable Oppositions ever known in England. The hitherto unrivalled debating powers of Fox, the tried experience of North, the massive knowledge and varied genius of Burke, the brilliant wit of Sheridan, the legal acumen and forensic talent of Erskine, were all arrayed against him, and their following outnumbered his own by at least forty or fifty votes. His legal advisers in the Commons were men of very little ability, and, except Dundas and Wilberforce, he had no considerable debater to assist him. His government was not only weak in experience and ability, but also heterogeneous in its composition, and it had been called into being by an act of flagrantly unconstitutional interference which exasperated the Opposition to the utmost. An English king, though he cannot ultimately resist the determination of Parliament, and though his interference in political quarrels is nearly always inexpedient, has by the constitution a very considerable power of arresting or retarding legislation which he dislikes. He may interpose his veto, he may dismiss his servants, he may appeal to his people by a dissolution. But a sovereign who, in the course of a debate, instructs one of his confidants to say that he will consider any one his enemy who votes for a measure which he had suffered his ministers to introduce without a word of remonstrance or the slightest intimation of his disapproval, is acting in a manner which is both grossly unconstitutional and grossly treacherous. George III. had acted in this manner, and, although the resignation of Temple had removed the chief agent in the transaction, Pitt, who can hardly have been ignorant of it, and who owed his power to its success, could not escape the stigma.

His position seemed to the best observers a hopeless one. 'What will follow,' wrote Fox, a few days before the Christmas adjournment, 'is not yet known; but I think there can be very little doubt but our administration will again be established. . . . The confusion of the enemy is beyond all description, and the triumph of our friends proportionable.'[1] Mrs. Crewe wittily expressed the common belief of the Whig circles in which she moved, when she said, 'Pitt may do what he likes during the holidays, but it will only be a mincepie administration.'[2] 'They have lost all character,' wrote Sir Gilbert Elliot near the end of December, 'and are considered as a set of children playing at ministers and must be sent back to school, and in a few days all will have returned to its former course.'[3]

Few things, however, are more fallible than political predictions, and the struggle of 1783-1784, added another to the many instances in which the great majority of the most sagacious and experienced judges of politics proved hopelessly at fault. On the side of the Opposition the assault was conducted mainly by Fox, and it is remarkable that Burke appears to have taken scarcely any part in these debates. None of Fox's speeches are more deserving of study. None of them exhibit more highly his transcendent and almost unapproachable excellence as a parliamentary debater, and on some of the constitutional questions which he raised he was incontestably in the right. But by one fatal error of tactics he completely wrecked his cause, while the young minister who was opposed to him conducted the conflict with consummate judgment as well as indomitable courage. There were two, and only two, really constitutional courses before Pitt. He might resign as soon as the House of Commons voted its want of confidence in his ministry, or he might at once appeal by a dissolution from the House to the country and hold or resign his place according to the verdict. To remain in office after a vote of censure by the House of Commons and without appealing to the constituencies was utterly opposed to the spirit of the constitution, and every week during which such a situation continued had a demoralising influence. On the other hand, his right of appeal to

[1] Fox's *Correspondence*, ii. 224.
[2] Wilberforce's *Life*, i. 48.
[3] Lady Minto's *Life of Sir G. Elliot*, i. 91.

the one supreme judge—the electoral body—cannot reasonably be disputed. The Crown and the House of Lords were on his side, and when a contest arises between the three branches of the legislature it is for the people alone to decide. The Crown has an undoubted power of dissolving Parliament. The House of Lords is exercising not only a legitimate, but a most useful function, when it throws out measures of the House of Commons which it believes to be contrary to the wishes of the people, and thus compels ministers either to abandon them or to give the people an opportunity of expressing their opinion at an election. When Fox had carried a vote of want of confidence against the ministers, and when they refused to resign, the Opposition should have made it their first object to facilitate, invite, and, if necessary, compel an immediate dissolution. They could hardly have failed in attaining this end. Any delay would have made the position of Pitt a thoroughly false one, and must have greatly injured him with the country, and it is extremely probable that an election taking place immediately after the interference of the King would have been favourable to the Coalition. The Government would, no doubt, have had the advantage of the unpopularity of the Coalition and of the unpopularity of the India Bill; but, on the other hand, the Opposition would have been incontestably the champions of the constitution, which in the recent transaction had been grossly violated. It was of the utmost importance, however, that they should not abandon their constitutional position, and especially that they should not take any step manifesting a distrust of the people and a desire to withdraw the question from their judgment.

Pitt had no wish for an immediate dissolution, for he clearly saw the probability of the popular feeling in his favour acquiring an additional volume and intensity if the struggle were prolonged, and the Opposition by a fatal blunder played directly into his hands. One of the first proceedings of Fox when Parliament assembled on January 12, 1784, was to deprecate a dissolution as injurious to the interests of the country, to declare his determination to take every means of preventing it, and even to question the power of the King to dissolve Parliament during a session, while public business and petitio[illegible]

were pending. There had been no instance of what Burke called a 'penal dissolution' in the middle of a session since the Revolution, and Lord Somers was quoted in support of the doctrine that such a dissolution was beyond the prerogative of the sovereign. In order to carry out these views, Fox at once moved that the House should resolve itself into a Committee on the state of the nation, refusing even to allow Pitt to deliver a message from the King, and the Opposition made every effort to extort from Pitt a pledge that there should be no dissolution. Pitt answered that 'he would never compromise the royal prerogative nor bargain it away in the House of Commons,' and Fox then proceeded to take measures to make a dissolution difficult or impossible. He carried a resolution pronouncing it a high crime and misdemeanour to issue after a dissolution or prorogation any money which, though voted for the public services, had not yet been appropriated by Parliament. He moved for accounts of the sums issued from December 19, 1783, to January 14, 1784, for services voted in the present session, but not appropriated by Act of Parliament to such services, and he postponed the Mutiny Bill till February 23, when the old Act would be not far from its expiration. Resolution after resolution was also carried censuring the Ministers, the circumstances of their appointment, and their retention of office. The whole odium, therefore, of postponing a dissolution rested with the Opposition, while the Government obtained all the advantage of the delay.

Pitt, on the other hand, acted with marvellous skill and with a constant view to the great public beyond the walls. The death of Sir Edward Walpole placed at this time at his disposal the rich sinecure of Clerk of the Pells, with an income of at least 3,000*l.* a year.[1] It had always been customary for statesmen who possessed only small private means to secure their independence by the acquisition of such sinecures, and as Pitt's private income was at this time not more than 300*l.* a year, and as it seemed probable that he would in a few weeks be thrown out of office, he would, according to the custom of the time, have been perfectly justified in appointing

[1] There is some doubt about the exact income. See Jesse's *Geo. III.*

himself. Ambition, however, not money, was the one passion of his life, and he clearly saw that he might make a use of this office, which would greatly assist him in the struggle. One of the gravest reproaches that had been directed against the Rockingham and Shelburne ministry had been the pension of about 3,000*l.* a year which they had bestowed upon Barré, at a time when they were loudly professing their zeal for economical reform. Pitt now gave the Clerkship of the Pells to Barré, on condition of his resigning this pension, which was accordingly saved to the public.

No sacrifice was ever more amply repaid. From this time the personal disinterestedness of Pitt and his complete freedom from every kind of corruption were never seriously questioned. The magnanimity of his conduct came home to men of all classes and opinions, and it excited a transport of enthusiasm in that great public which was now keenly watching the course of the unequal fight.

The House of Commons had resolved that it was indispensably necessary that immediate measures should be taken for the reform of the Indian Government, and Pitt speedily responded to the demand. As early as January 14 he introduced in a very able speech his own plan. He proposed to establish in England a Board of Control, which was to control the policy of the Court of Directors, to possess a veto upon its nominations, and to institute prosecutions against great offenders, and also a tribunal sitting in England with large powers of trying Indian offences. No patronage was to be vested in the controlling board, and therefore the principal argument directed against Fox's Bill was not applicable to the new measure. Fox at once attacked it furiously, as inadequate, and on January 23 it was thrown out; but it was a significant fact that the majority against the Government on this question was only 8. Fox then rose to propose again his own measure, but first called upon Pitt to say whether the House would be allowed to discuss it, or whether it would be interrupted by a dissolution. Pitt remained obstinately silent, and a scene of furious recrimination ensued. Member after member of the Opposition rose and questioned him as to his intentions. Conway, with a very unusual violence, denounced

'the sulky silence' of the ministers, and declared that 'they existed by corruption, and were now about to dissolve Parliament after sending their agents round the country to bribe men.' A scene of unparalleled excitement continued till two o'clock on Saturday morning, and the House met again that day at twelve. All that could be extorted from the minister was that he would not prevent the House from meeting on Monday.

It was supposed that a dissolution would have immediately taken place. If any additional reason was required for a step which was so plainly constitutional, it was furnished by the rejection of the ministerial Bill for the Government of India. The King strongly recommended this course;[1] but Pitt determined to prolong the contest, and for a few more weeks to exhibit to the nation the spectacle of a young statesman struggling with splendid courage and eloquence against overwhelming odds, and of an Opposition passionately deprecating and denouncing an appeal to the electors. On January 26 he stated that 'in the present situation of affairs he thought a dissolution could not but be attended with great detriment and disadvantage, and therefore he would not advise any such exercise of the prerogative.'

The statement was not a constitutional one unless it were followed by an immediate resignation, but the attitude of the Opposition prevented it from doing any harm. The contest still continued, but several things occurred to encourage Pitt. The King, who had refused to make a single peer during the Coalition Government, marked his sentiments publicly by creating four on the recommendation of Pitt. The House of Lords on February 4 passed resolutions by a majority of nearly two to one censuring the House of Commons for attempting of their own authority to suspend the law, and interfere with the royal prerogative in the appointment of ministers. In the House of Commons itself there were manifest signs of wavering and division in the majority. On January 26 nearly seventy members met at St. Alban's Tavern[2] to discuss the possibility

[1] See his letters to Pitt, Stanhope's *Life of Pitt*, i., Appendix, iv.-v.

[2] *Annual Register*, 1784, p. 87. Russell's *Life of Fox*, ii. 70. Lord Stanhope says the Independents were fifty-three, *Life of Pitt*, i. 184.

of ending the contest by a compromise. Without intermitting the contest in the House of Commons, a negotiation continued between the two sides for about three weeks, and the King was even induced to direct the Duke of Portland to meet Pitt in order to confer upon the possibility of forming a new administration 'on a wide basis and on a fair and equal footing,' but the chiefs on neither side appear to have sincerely desired an amalgamation. Fox indeed declared himself perfectly willing to serve with Pitt. He spoke of him personally in terms of the most honourable and generous eulogy. He stated that, provided Pitt would consent that the government of India should be in England and should be permanent for at least a given number of years, Pitt might settle the question of Indian patronage as he pleased, and North, with whom Pitt refused to serve, most honourably declared that he would be no obstacle to union, and was perfectly willing to waive all claims to office. But the terms 'a wide basis' and 'an equal footing' presented obstacles which were insuperable. On the side of the ministry it was resolved that at least four of the present ministers, including Thurlow, should be admitted into the Cabinet, and Fox, whose main object was to exclude royal influence from that body, and who knew well that Thurlow was its most formidable and persevering representative, refused to consent. On the other hand, Fox was fully determined to vindicate the constitution by insisting on the resignation of the existing ministry as a preliminary to negotiation. They had come into office by a violation of the constitution which must not be suffered to succeed. They had maintained that the Crown might not only appoint, but persist in upholding, a ministry in which the House of Commons had no confidence, and it was equally essential to the power and the honour of the House that this doctrine should not be suffered to acquire the stamp and authority of a precedent. 'The influence by which the present minister had seized the reins of power,' said Fox, 'can only be discussed subsequent to the resignation of the ministers. Surely the House can never forget that the present contest is not against men, but against ministers unconstitutionally called to office. It was the systematic influence of an undue tendency that he had

ever struggled against, and would continue to struggle against. The India Bill, said North, is out of the way, and my ot pretensions are out of the way; and on what ground can ministe insist on their retention of office? Pitt, however, scornful refused all suggestions of resignation. 'I will never,' he sai 'consent to march out with a halter about my neck; chan my armour and meanly beg to be re-admitted as a volunte in the army of the enemy.' 'The immediate appointment removal of ministers does not rest with this House. There i therefore, nothing illegal in a minister's remaining in offi after this House has declared against him, particularly whe immediate resignation would have injured the country.'

Pitt afterwards qualified this assertion by an admission th no ministry could last which did not possess the confidence the House, but the position he had assumed was a very perilou one. He hazarded also another doctrine which no soun political thinker will now admit. In his later speeches h kept the contingency of a dissolution completely out of sight but he denied or questioned the right of the House of Com mons to express a general want of confidence in ministe without specifying distinct charges, and he maintained th the House in condemning ministers just appointed by th Crown, before waiting for their measures, was violating th prerogative of the sovereign to choose his ministers. 'Grant he said, 'that this House has a negative on the appointment ministers, and you transplant the executive power to th House.' 'Where is even the safety of any one prerogative the Crown, and even of the Crown itself, if its prerogative naming ministers is usurped by this House, or if (whic is precisely the same thing) its nomination of them is to b negatived by us without stating any one ground of distrust i the men, and without suffering ourselves to have any ex perience of their measures?' This doctrine was implied in th resolutions of the House of Lords condemning the proceeding of the Commons, and it was on the ground that no charge o complaint had been suggested against his ministers that th King declined to accede to an address of the House of Com mons asking for their removal. It is now generally admitte that this view is false and exceedingly dangerous. The Hous

of Commons has a perfect right to withhold its confidence from ministers on account of the manner in which they have been called to office, and of their known characters, tendencies, or connections, and in this case ministers are constitutionally bound either to resign, or to submit the question with the shortest possible delay to the verdict of the constituencies. As Lord Loughborough said, 'It is the undoubted right of the Crown to name its own ministers; but the House of Lords or Commons have an equal right to advise His Majesty to dismiss them,' and numerous precedents were adduced of resolutions of the House of Commons since the Revolution advising the sovereign on the discretionary exercise of the prerogative of the Crown.[1]

But the error of Pitt seemed almost insignificant when compared with that of Fox, who denied the power of the sovereign to dissolve Parliament in the middle of a session, who maintained that when the House of Commons is at variance with the other two branches of the legislature, the opinion of the existing majority of the Commons should be at once decisive, and who tried to bar the way against an appeal to the people. He should have remembered that the usurpation by a majority of the House of Commons of a power beyond the constitution and in opposition to the wishes of the people, was the question which during the whole of the Wilkes contest had inflamed and divided the English nation, and that if the question actually came to a dissolution, he was preparing for himself an inevitable defeat. He was staking everything on the desperate chance of driving Pitt from office without a dissolution, and even if he had succeeded in this attempt, he could not have prevented the King from recalling Pitt to his councils and dissolving Parliament as soon as the session had terminated.[2]

The violence of his language about the Crown was also irritating and alarming to the people, though there was undoubtedly much to palliate it. Fox well knew that he had risked his whole political reputation when he made his coalition with North, and that the sole justification of that measure

[1] Russell's *Life of Fox*, ii. 80, 87, 89.

[2] See Lord Russell's very judicious remarks.—*Correspondence of Fox*, ii. 245.

would have been that it gave administration the strength, efficiency, and durability which had of late years been so lamentably wanting. He believed that he had succeeded, that a strong and permanent government had been at last formed, and that the administrative anarchy and precariousness which had led to so many calamities was at an end. In the moment when the government appeared most strong the King had overthrown it in a manner which was equally treacherous and unconstitutional. The received doctrine that the King can do no wrong could hardly apply to this contest. That the existing ministry owed its being to a personal and grossly unconstitutional interference of the King was a fact which, though it was not openly averred or formally proved, was too notorious to be questioned. The men who were concerned in the transaction were well known, they were present in Parliament, and they never denied it. Neither the present nor the past ministry had been authorised to contradict it. Every politician knew that the interference of the sovereign during the debate in the House of Lords was the efficient cause of the change of ministry. The King in the eyes of Fox was the true culprit. The extinction of his influence in Parliament was the main end to be attained, and the destruction of a ministry which owed its origin to that influence was therefore indispensably necessary. It was a matter of the first constitutional importance to establish that the King had no right to interfere with the debates of either House of Parliament, that no government could subsist in England without the confidence of the representative body, that the House of Commons had a substantial negative on the appointment of ministers. It was an unexampled thing for a sovereign of the House of Brunswick to declare his intention of keeping his ministers in office in defiance of repeated resolutions and of two formal addresses of the House of Commons. Every preceding sovereign and every preceding minister had bowed at once before the censure of the House. In order to find precedents for the conduct of the King and his ministers it was necessary to go back to the Stuarts, and there was great danger that the weight and importance of the popular branch of the legislature in the scale of the constitution should be permanently depressed. At the same time Fox had himself

been guilty of a great violation of constitutional decorum when as a minister of the Crown he had supported what was virtually a vote of censure on the Crown, and his scarcely veiled invectives against the sovereign recoiled upon himself. The creation of four peers during the struggle showed the King's approval of his ministers, but it was within the incontestable prerogative of the sovereign, and it ought not to have been attacked in the House of Commons.

It was soon evident that the prospect of driving Pitt from office without a dissolution must be abandoned. His courage was fully proof against all attacks, and Fox did not dare to use the only means that would have been efficacious. A short Mutiny Act and the stopping of Supplies would make it necessary for the ministers to yield unless they were prepared to throw the whole country into confusion. These measures were seriously contemplated. The Supplies were for a short time postponed, and the Mutiny Act was again put off, though only for a few days; but the country gentry were not prepared to press matters to extremities, and Fox himself did not desire it. 'His Majesty,' he said, 'has undoubtedly the power of choosing his own ministers, and the House of Commons of assigning the Supplies. But were the one to take into his service any men or set of men most agreeable to the royal inclination without any regard as to how such appointments might operate on the public, might not the House with the same propriety withhold the purse of the people?' He added, however, that 'both extremes ought to be avoided, because equally injurious to the public welfare.' Such measures are, indeed, what Burke termed the 'extreme medicine of the State,' and nothing but the strongest possible popular support could have either justified or carried them. But it was already evident that popular support had gone from Fox. Loyal addresses began to pour in from the chief cities in the kingdom thanking the King for dismissing his late ministers and expressing confidence in Pitt. The Corporation and the merchants and traders of London led the way. The freedom of the City was presented to Pitt amid an outburst of passionate enthusiasm. The deep roar of popular indignation against the Opposition grew louder and louder, and its influence was soon felt within the House. The representatives of the great

crowds who had hitherto supported Fox began to fall away. The majorities rapidly dwindled. The idea of passing a Mutiny Bill for only a month or two to make the continuance of Parliament necessary was thrown out, but it was so coldly received that Fox did not venture to press it. At last, on March 8, Fox moved a representation to the King, drawn up with great skill by Burke, and embodying the whole case of the Opposition. After a debate of nine hours the House divided, and it was found that the Opposition had only triumphed by a single vote. There were 191 votes for the representation, and 190 against it.

This vote decided the contest. A Mutiny Bill for the usual period of a year was carried. The usual Supplies were soon voted, though not appropriated. On March 24 the King summoned the Commons to the House of Lords, and apprised them of his determination to call a new Parliament, and on the following day the Parliament was actually dissolved.

No party ever went to the constituencies more hopelessly foredoomed to ruin than the Opposition which followed the banner of Fox and of North, and it is not difficult to trace the causes of its disaster. The first great cause lay in the fatal error of the Coalition. It had offended bitterly the most ardent followers of both leaders, and had at once alienated the enthusiasm of the Tories and of the Whigs. In the emphatic words of Bishop Watson: 'It left the country without hope of soon seeing another respectable Opposition on constitutional grounds, and it stamped on the hearts of millions an impression, which will never be effaced, that patriotism is a scandalous game played by public men for private ends, and frequently little better than a selfish struggle for power.'[1] There had been large classes in the country who were ardently attached to Fox as the great opponent of the American war, of political corruption, and of the encroachments of royal power. There had been other great classes who were not less attached to North as a statesman of a singularly stainless and attractive private character who had laboured under overwhelming difficulties to maintain the unity of the empire, and the conservative elements of the Constitution. But no class felt any enthusiasm for Fox

[1] *Anecdotes of his Life*, i. 172.

when allied with North, or for North when allied with Fox, and the confidence of the nation had ebbed away. The support of the party was now little more than a languid acquiescence, and the coalition of the leaders who had been so bitterly opposed was very generally attributed to mere personal pique and to a corrupt desire for place and power.

The judgment, as we have seen, was not a just one; but it was at least very natural, and it was no less natural that every measure which emanated from such a coalition should have been harshly and suspiciously judged. It would have been scarcely possible for the ministers to have amended the terms of peace, but when they consented to sign definitive articles which were nearly identical with the preliminary articles they had so lately denounced as inadequate and dishonourable, this appeared to the public a clear confirmation of the unfavourable opinion which had been originally formed. The India Bill was a great and honest measure intended to remedy great and crying evils, but the public were easily persuaded that its real object was to destroy the power of the King, and by vesting an enormous patronage in the hands of an oligarchy to govern the Parliament by corruption. It is not probable, however, that this view would have resisted the test of a prolonged discussion, and if the dissolution had taken place immediately after the unconstitutional interference of the King, it is very possible that the Opposition might have won. They would then have stood on strong and popular ground, and the recent proceeding would have been a striking example of that royal interference with Parliament which it had been the object of the coalition to make impossible. But when Fox, in an ill-omened hour, pledged his party to resist dissolution, when he made it the main object of his policy to prevent the question at issue being brought before the judgment of the constituencies, he made his ultimate success impossible. Tory and Whig were equally offended, the first by the attempt to deprive the Sovereign of one of his most undoubted prerogatives, the second by the attempt to withdraw the decision from the people, and to claim for the majority of the existing House of Commons a power which was

at least as unconstitutional as that which the House had claimed in the Wilkes contest.

And while the Opposition appeared thus to unite the faults and the unpopularity of Whig and Tory, the young minister who was at the helm combined the merits and commanded the enthusiasm of both parties. In the eyes of the Tories he was the favoured minister of the King, who had come forward to free his Sovereign from an odious tyranny, to defend his influence and his prerogative from most formidable and most insidious attacks. The Whigs, on the other hand, remembered that he had refused to hold any office in the same ministry as North; that he was the ablest champion of parliamentary reform; that he had endeavoured in vain to force this great question on the Coalition Ministry; that he had tried, though unsuccessfully, to carry a measure of economical reform against the wishes of that ministry; that he was appealing to the people to decide the conflict which had arisen between the powers of the State; that he had spoken as strongly as Fox himself of the necessity of suppressing corrupt royal influence in the House of Commons, and that he had never recanted a single word of what he had said. With a private character as stainless as that of North, with a public character wholly free from every imputation of corruption, he had the great advantage of being unconnected with the events of the American war. One of the leaders of the Coalition was considered more responsible than any other man for the long train of calamities which had resulted in the dismemberment and the humiliation of the Empire. The other had encouraged and sympathised with the Americans in every stage of their resistance, and had exulted in the disasters of his country.[1] Pitt alone of the three statesmen completely represented the national feeling. The aureole of his illustrious father encompassed him, and he had shown himself as yet fully worthy of the splendid heritage of his name. The courage and the eloquence with which, when not yet twenty-five, he encountered almost

[1] Ten years after the conclusion of the American war, Fox in a letter to his nephew expressed his delight at the defeat of the Duke of Brunswick by the French in the battle of Valmy. 'No public event,' he wrote, '*not excepting Saratoga and Yorktown*, ever happened that gave me so much delight.'—Fox's *Correspondence*, ii. 372.

single-handed one of the most powerful Oppositions ever known in England, fascinated multitudes who cared very little for party or politics, but who appreciated keenly the spectacle of an unequal fight most bravely and most skilfully fought. The spell which Pitt at this time threw over his countrymen continued unbroken to his death. It outlived years of discouragement and disaster, and it was scarcely weakened at a time when sagacious men had discovered that his powers as a legislator and administrator were by no means on a level with his almost unrivalled talent for managing a party, and for conducting a debate.

The result of a struggle waged under these conditions could hardly be doubtful. The King's friends, the East India Company, and all the classes that were most ardently Tory, were on the side of Pitt, and they were assisted by the Duke of Richmond, the advocate of universal suffrage; by Lord Effingham, and Dr. Price, the most vehement opponents of the American war; by Wilkes, who had himself fought a gallant fight against a majority in the House of Commons; by the great body of the Nonconformists, who had so long been the staunchest supporters of the Whig party; by the Yorkshire Association, and most of the supporters of parliamentary reform. The system of nomination boroughs at the disposal of great nobles made many seats inaccessible to the most violent fluctuations of public opinion, but in nearly every large constituency the strength of the torrent was felt. No fewer than 160 members, nearly all of them belonging to the Opposition, were driven from Parliament. Fox himself barely succeeded in retaining his seat for Westminster. The united Opposition was utterly shattered. The old lines of party division were, for a time at least, submerged or effaced, and Pitt met the Parliament of 1784 at the head of a majority which made him the most powerful minister ever known in the parliamentary history of England.

CHAPTER XVI.

IRELAND, 1760–1778.

THE first years of the reign of George III. are memorable in the economical and moral history of Ireland, as having witnessed the rise of that Whiteboy movement which may be justly regarded as at once the precursor and the parent of all subsequent outbursts of Irish agrarian crime. Its chief causes are to be found in the rapid conversion of arable into pasture land which has been described in a former chapter.[1] In addition to the more permanent causes which were there enumerated, the movement had been greatly accelerated by a murrain which had broken out in 1739 among the horned cattle of Holstein, had spread rapidly to other parts of Germany, and had at length extended to Holland and England.[2] The price of cattle was enormously raised. In 1758 their free importation into Great Britain for the space of five years was permitted.[3] Whole baronies were turned into pasture land. Common lands, which alone enabled the overburdened cottier to subsist, and which had long been tacitly, if not expressly, open to him, were everywhere invaded, and the country was full of a starving peasantry turned out of their wretched cottages to make room for a more lucrative industry. Their misery can scarcely be exaggerated, and it was mixed with a strong sense of injustice. In the almost complete absence of manufacturing industry the great majority of the people were wholly dependent on the soil. In a country where poverty was more extreme than in perhaps any other part of Europe there was

[1] See vol. ii. p. 244–250.

[2] Crawford's *Hist. of Ireland*, ii. 316, 317.

[3] Macpherson's *Hist. of Commerce*, iii. p. 311.

no poor-law. The greater landlords were commonly absentees. The extreme competition for the soil, and the constant practice of sub-letting, had reduced the immediate cultivators to such abject poverty that the most transient calamity brought them face to face with starvation. As Catholics and as tenants they were completely unrepresented in the great council of the nation. The law of 1727 which provided that, out of every 100 acres, not less than five should be under cultivation,[1] was, in the words of a very competent witness, 'as dead as the letters of it, for all the rich were delinquents, and none but the impotent poor were left to enforce the performance of it.'[2] The local magistracy planted in the midst of a Catholic tenantry were in quiet times almost omnipotent, and they consisted exclusively of Protestant landlords.

It is not surprising that such a condition should have at length produced an insurrection of despair. The country, it is true, was, on the whole, improving. It was stated by Arthur Young that in the twenty-five years preceding 1778 the rent of land had at least doubled.[3] The growth of the chief towns, the multiplication of roads, plantations, country seats, and public buildings attested the accumulation of considerable wealth; the influence of a middle class may for the first time be detected in Irish politics, and the larger tenants and shopkeepers, and especially those who were connected with the victualling trade, were rising rapidly in prosperity. But there was a large section of the population by whom that prosperity was never felt,[4] whose condition was little, if at all, better than in the time of Swift, whose means of subsistence were with the growth of pasture steadily contracting, and to whose almost

[1] 1 Geo. II. c. 10.

[2] Campbell's *Philosophical Survey of the South of Ireland*, p. 155. Among the Irish papers at the English Record Office there is one sent from Ireland, April 16, 1774, enumerating the different Acts that had been passed relating to Irish tillage. To 1 Geo. II. c. 10, the following note is appended: 'This law, though a perpetual one, has never been observed nor attended to in a single instance.'

[3] Arthur Young's *Tour in Ireland*, ii. 350. According to another writer: 'There were in remembrance of many of us but two sorts of people in this kingdom. There is now a middling people grown out of trade and manufactures . . . . the price of land is to a tenant risen within the time I write about, everywhere double, in many places more. The taste for building, planting, and laying down ground, diffuses itself surprisingly.'—*Prerious Promises inconsistent with a free Parliament* (Dublin, 1760), p. 32.

[4] 'We have in this county three classes of peasantry, which, taken together, make at least half of its

hopeless wretchedness the most competent witnesses are agreed in ascribing the Whiteboy organisation. Chesterfield, who knew Ireland well, said that they 'were used worse than negroes by their lords and masters, and their deputies of deputies of deputies,' and he ascribed Whiteboyism to 'the sentiment in every human breast that asserts man's natural right to liberty and good usage, and that will and ought to rebel when oppressed and provoked to a certain degree.[1] An English traveller named Bush, who visited Ireland in 1764, gives a graphic description of the extreme misery which accompanied the Whiteboy disturbances. He says: 'What dread of justice or punishment can be expected from an Irish peasant in a state of wretchedness and extreme penury, in which if the first man that should meet him were to knock him on the head and give him an everlasting relief from his distressed and penurious life, he might have reason to think it a friendly and meritorious action; and that so many of them bear their distressed, abject state with patience is to me a sufficient proof of the natural civility of their disposition.'[2] More than twenty years later the Irish Attorney-General, Fitzgibbon, who was very little addicted to taking an indulgent view of his countrymen, used language which was at least as emphatic. 'I am very well acquainted with the province of Munster,' he said, 'and I know that it is impossible for human wretchedness to exceed

inhabitants, a great part of them are at present both miserable and useless in the highest degree. (1) Cotters, persons who hold at will a small take of land, seldom more than an acre, and grass for a couple of cows, at an exorbitant rent, which they work out at the small wages of 5*d*. or 4*d*. a day without diet. (2) Persons who have short leases, or leases of uncertain tenure at high rents, particularly the tenants of Church lands and glebes. (3) The inhabitants in the neighbourhood of towns or villages who hold no land and are supported by daily labour. Each of these classes is poor beyond all example in other countries.'—*Proposal for Employing Children, &c.*, addressed to the Dublin Society by Sir James Caldwell (1771). There is much conflict of testimony about the rate of wages. Crawford, who published his history of Ireland in 1782, speaks of 'the small price given for labour which, notwithstanding the increased price of necessaries, did not exceed the wages in the days of Elizabeth.'—*Hist. of Ireland*, ii. 317. Arthur Young calculated that the average agricultural wages for all the year round from 1776 to 1779 were 6½*d*. a day, and that they had risen 1¾*d*. or nearly one-fourth in twenty years. In his tour through the eastern counties of England he found the rise of labour had been one-fourth in eighteen years. He noticed the curious fact that, while common labour in Ireland was little more than one-third of what it was in England, the artisans were paid nearly, if not quite as much as in that kingdom.—*Tour in Ireland*, ii. 125, 126.

[1] *Letters*, v. 463.

[2] Bush's *Hibernia Curiosa*, p 33.

that of the miserable peasantry in that province. I know that the unhappy tenantry are ground to powder by relentless landlords.' 'It is impossible for them any longer to exist in the extreme wretchedness under which they labour. A poor man is obliged to pay 6*l.* for an acre of potatoes, which 6*l.* he is obliged to work out with his landlord at 5*d.* a day.' In a subsequent speech he declared that 'the lower order of the people of Munster are in a state of oppression, abject poverty, sloth, dirt, and misery not to be equalled in any other part of the world.' He ascribed it 'in the first place to their own indolence, and in the next to a class of men called middlemen, a set of gentry who, having no inheritance, no education, no profession, or other means of life than by getting between the inheritor and the cultivator of the soil, grind the poor people to powder.'[1]

It is essential, indeed, in considering the economical condition of Ireland in the last century to bear steadily in mind the distinction between the landowner and the middleman, and to remember that the latter, with whom alone the cottier came in much contact, was constantly spoken of as the landlord. The 'little country gentlemen,' whom Arthur Young described as the pest of the country, and the great graziers, who were the immediate causes of the depopulation of large districts, were not landowners but tenants. I have endeavoured in a former chapter to trace the history of their rise, and it is only necessary to say a few more words on the subject. In spite of a great deal of conflicting evidence and of many emphatic denunciations, I do not think that the charge of exacting exorbitant

[1] *Irish Parl. Debates*, vii. 58, 63, 343 (1787). Sir Hercules Langrishe, a very distinguished member of the Irish Parliament, wrote: 'The common people of England generally feed on wheaten bread, butter, cheese, bacon, and beer; whereas in Ireland the northern people live on oaten bread and milk; those of the south and west universally on potatoes, to which scarcely any of them aspire to add milk the *whole year round;* but really and truly (however improbable it may be to an Englishman) do frequently support themselves by nothing but potatoes and water. . . . The labourer's wages throughout Ireland are as universally 6*d.* a day as in England 1*s.* The medium price of corn is most certainly not above one-twentieth higher in England than Ireland.'—*Considerations on the Dependencies of Great Britain* (Anon., Lond. 1769), p. 16. 'The general rise of lands in this kingdom,' said another writer, 'within the last twenty years has rendered the greatest part of the tenantry absolutely dependent upon their landlords. The rack-rents they are bound to pay, and their inability to punctual payments, reduce them almost to a state of slavery and subjection to their landlords.'—*Astræa, or a Letter on the Abuses in the Administration of Justice in Ireland*, by an Attorney-at-law (Dublin, 1788), p. 17–18.

or oppressive rents can be sustained against the Irish landowners of the eighteenth century considered as a class. The middleman, as Grattan once said, is in this respect their best defence, and the fact that the greater part of the country was sublet two, three, and sometimes four deep, appears to me to establish to demonstration that the real landlord did not exact an excessive or a competitive price. The faults of Irish landowners have, indeed, at most periods of Irish history been much more faults of negligence than of oppression. In the beginning of the century, when absenteeism was especially common, and when the conditions of residence were often not only disagreeable but dangerous, it was their main object to obtain from their land a secure revenue without trouble and without expense, and, in order to attain this end, they were prepared to grant fixity of tenure at extremely low rents. Leases, sometimes for ever, more often for lives extending over forty, fifty, sixty, or even seventy years, were general. Arthur Young, who describes this system, significantly observes that 'if long leases, at low rents, and profit incomes given, would have improved it, Ireland had long ago been a garden.'[1] When the long leases fell in, rents, were, no doubt, greatly raised; but probably not more than in proportion to the general rise of prices and increase of prosperity; and it is very doubtful whether, when every due allowance has been made for the immense difference between the two countries, the Irish landlords compare in this respect at all unfavourably with the English ones.[2] The occupancy of

[1] *Tour in Ireland*, ii. 93–99.

[2] According to the estimate of our best authority, Arthur Young, the average proportion between the rent of land in Ireland and in England in 1778 was nearly as 5 to 11, 'in other words, that space of land which in Ireland lets for 5*s.* would in England produce 11*s.*' Nominal rents in Ireland were therefore on an average less than half of what they were in England, and over a great part of England, Young considered them abnormally and unduly low. On the other hand, Young calculated that if 5*l.* per English acre were expended over all Ireland, which amounts to 88,341,136*l.*, it would not more than build, fence, plant, drain, and improve that country to be on a par in those respects with England, and he also urged that the want of capital among Irish tenants made it impossible for them (even if they had the skill) to farm as profitably as English ones.—*Tour in Ireland*, ii. 88, 89. Young gives some statistics of the recent rise of rents. 'Lord Longford more than doubled in 30 years, Earl of Inniskilling quadrupled in ditto. Mr. Cooper almost trebled since 1748. Mayo trebled in 40 years, King's Co. ⅔ since 1750. Tipperary doubled in 20 years.'—Ibid. p. 332. Crumpe, in his *Essay on the Means of Providing Employment for the People* (1793), tries to establish that Young's estimate of the Irish rental is too low.

land was still regulated strictly by contract, and leases were almost always given by the landowners to their immediate tenants, though towards the close of the century it became common to restrict them to twenty-one years. The first tenants also usually sublet their tenancies on leases, though for shorter periods and on much more severe terms, and they were accustomed to turn out their sub-tenants and to resume the occupation before their own leases expired in order to treat with the landowner as occupying tenants for a renewal of them.[1] A detestable custom was very common when leases fell in, of publishing the fact in the chapels or market towns, inviting private proposals and accepting the highest bidder without any regard to the previous occupant.[2] In the arable counties where husbandry was best, and where some degree of prosperity had been attained, Arthur Young found that the head tenants usually had leases for three lives if they were Protestants, for thirty-one years if they were Catholics.[3] The latter period was the longest for which a Catholic was yet allowed to hold a lease, and it was burdened by a most mischievous provision that two-thirds of the profits must go in rent. Young describes in detail a great number of resident landlords who were devoting themselves with much earnestness and intelligence to the improvement of agriculture, and many of these were steadily labouring, as far as local customs and old contracts would permit, to root out the system of middlemen, which was the master curse of Irish agrarian life. Clauses against subletting were not popular or easy to enforce in a country where the opposite system had long prevailed, but some progress in this direction was gradually effected, and a very able Irish writer in 1793 noticed that the middlemen were then 'wearing out in the more rich and best cultivated counties,' though they were still 'almost universal' in the poorer districts.[4]

[1] See a valuable note on the agrarian system, in Hoare's *Tour in Ireland* (1806), p. 307–308. See, too, Cooper's *Letters on the Irish Nation* (written in 1799), 2nd ed. p. 182–185.

[2] See Crumpe, p. 232–234. This was called 'canting' lands. Cooper, p. 185–187. Campbell's *Philosophical Survey*, p. 315.

[3] Arthur Young's *Tour in Ireland*. ii. 103.

[4] Crumpe's *Essay on the Means of Providing Employment for the People*, p. 238. Arthur Young, ii. 100, 101. Young truly says: 'The middleman oppresses the cottar incomparably more than the principal landlord; to the one he is usually a tenant at will or at least under short terms; but under the other has the most advantageous tenure,' p. 100.

In nearly every part of Ireland agriculture was still extremely rude. Absenteeism, great ignorance, want of capital, and want of enterprise, all contributed to depress it, and in the more backward parts it was as barbarous as can well be conceived. The head tenant invariably became a middleman and land jobber, and beneath him lay a hierarchy of wretched cultivators or labourers who were ground to the very dust by extortionate and oppressive exactions. In some parts of the kingdom it was a rare thing to find an occupying tenant who was the possessor of a plough. There were, perhaps, half a dozen ploughs—and these of the most primitive description—in a parish, which were let out by their owners at a high rate, but often the whole cultivation was by spade.[1] Frequently large tenancies were held by co-operation, 'knots' of poor men combining to bid for them, and managing them in common,[2] and frequently, too, labour was exacted in addition to a money rent. The purely labouring class were generally cottiers—paid for their labour not by money, but by small potato plots, and by the grazing of one or two cows, and they worked out these things for their employers usually at the rate of 6½*d.* a day.[3] Their homes and clothing were to the last degree degraded; they had no security of tenure and no possibility of saving, and they depended for their very subsistence on the annual produce of their potato plots; but in the better parts of Ireland, and under favourable circumstances, Arthur Young did not consider that their condition compared altogether unfavourably with that of English labourers. Their food was much more abundant. Their children, unlike those of the Englishmen, were seldom without milk, and the absence of money in their dealings with their employers made it impossible for them to drink, as was common in England, a week's wages in a single night.[4] But the cottier population, who multiplied recklessly by early marriages over the barren lands of Kerry or the West, were perhaps as miserable as any class of men in Europe. To escape starvation was almost their highest aim, and

[1] Crumpe, p. 227.

[2] See on these 'knots' Sigerson's *Hist. of Irish Land Tenures*, p. 160, 161. Crumpe, p. 227. Arthur Young, ii. 103.

[3] Ibid. ii. p. 110. As we have seen, however, other writers calculate the rate at only 5*d.* or 6*d.*

[4] See the very remarkable chapter on the Labouring Poor, *Tour in Ireland*, ii. 108–116.

even for this it was often necessary for them to spend a part of every summer in vagrant mendicancy. The months of July and August, when the old potatoes were exhausted, were generally months of absolute famine. Cabbages, boiled in water and mixed with some milk, were then the sole sustenance of the poor, who died in multitudes from diarrhœa; and a still remembered saying that 'Kerry cows know Sunday,' recalls the time when the cattle being fattened by the summer grass underwent a weekly bleeding to make a holiday-meal for their half-starving owners.[1]

A very similar agrarian condition had long existed over a great part of Scotland, and, indeed, in many countries in an early stage of civilisation. The system of middlemen, the system of cottier labour, a population multiplying recklessly on a barren soil, enormous vagrancy and periodical famines were all well known in Scotland, and were cured at last by economical changes which swept away a great portion of the population. In Scotland, however, the painful transition was mitigated by the great industrial movement which followed the union, and absorbed a large part of the redundant population, by the excellent school system which spread some measure of knowledge and capacity among the poorest classes, and by the warm relations of amity that subsisted between the chiefs and their clansmen. In Ireland the evil extended over a wider area, and these mitigations were wanting. As we have already seen, the commercial code had artificially limited industrial life, and the penal code, long after it had ceased to be operative as a system of religious persecution, exercised a most pernicious influence in deepening class divisions, rendering the ascendant class practically absolute, driving enterprise and capital out of the country, and distorting in many ways its economical development. A great population existed in Ireland who were habitually on the verge of famine, and when any economical change took place which converted a part of the country from arable land into pasture, and restricted the amount of labour, they found themselves absolutely without resource.

The Whiteboy movement was first directed against the system of inclosing commons, which had lately been carried to a

[1] Some very interesting particulars collected from traditionary sources, relating to the state of Munster in the last century, will be found in Fitzgibbon's *Ireland in* 1768.

great extent. According to the contemporary and concurrent statements of Crawford, the Protestant, and of Curry, the Catholic historian of the time, landlords had often been guilty not only of harshness, but of positive breach of contract, by withdrawing from the tenants a right of commonage which had been given them as part of their bargain, when they received their small tenancies, and without which it was impossible that they could pay the rents which were demanded.[1] It was at the close of 1761 that the first signs of resistance appeared. Wesley, who six months later was travelling through Ireland, took great pains to obtain an accurate account of their origin, and he has given the following description of it. 'About the beginning of December last,' he says, 'a few men met by night near Nenagh, in the county of Limerick, and threw down the fences of some commons which had been lately inclosed. Near the same time, others met in the counties of Tipperary, Waterford, and Cork. As no one offered to suppress or hinder them, they increased in numbers continually, calling themselves Whiteboys, wearing white cockades and white linen frocks. In February there were five or six parties of them, 200 to 300 men in each, who moved up and down chiefly in the night, . . . levelled a few fences, dug up some grounds, and hamstrung some cattle, perhaps fifty or sixty in all. One body of them came into Clogheen, of about 500 foot, and 200 horse. They moved as exactly as regular troops, and appeared to be thoroughly disciplined.' They sent threatening letters, compelled everyone they met to swear allegiance to their leader, 'Queen Sive,' and to obey her commands, and threatened savage penalties against those who refused to do so.[2] In an unfinished fragment, 'On the Disturbances in Ireland at the beginning of the reign of George III.,' which was written by Edmund Burke, the first disturbance

[1] Crawford's *Hist. of Ireland*, ii. 317. Curry's *Civil Wars of Ireland*, ii. 271, 272. 'I make use of this opportunity to say something to your Lordship of certain riotous assemblies which have been held in the province of Munster. These rioters began by levelling inclosures by pretence of right, and have since proceeded to other outrages under colour of redressing the grievances of the poor.'— Halifax to Egremont, April 8, 1762, Record Office. The Under-Secretary Knox, who was by birth an Irishman, and was well acquainted with Irish affairs, states that the rights of commonage were taken away from tenants in Ireland without compensation, and that grand juries rejected all presentments on the subject.—Knox's *Extra Official Papers*, Appendix, No. 1.

[2] Wesley's *Journal*, June 1762.

is said to have taken place in the county of Cork. A very respectable Protestant attorney named Fant was living, in 1760, on the borders of that county, and he had for a long time enjoyed a good reputation. His mind, however, gradually became disordered. He entered into a long succession of disputes with his neighbours, and at last finding some charges he had made against them disregarded by the Government, he, shortly after the arrival of Lord Halifax,[1] assembled many of the 'meaner people of Kilmallock, and having warmed them with liquor, he harangued on the grievances which the poor in general suffered from the oppression of the rich, and telling them their town common had been illegally inclosed, and that they had a right by law to level the walls by which they were shut out from it, they very readily engaged under the authority of a lawyer, and that night completely demolished all the fences which inclosed their reputed common.' 'This,' adds Burke, 'and no other beginning had these disturbances which afterwards spread over a great part of the adjacent county, and which have been industriously represented of so treasonable a nature.'[2]

The outburst spread rapidly through many counties of Munster, and while in some districts it was specially directed against inclosures, in others it was more peculiarly turned against certain kinds of tithes. The great tithes or tithes of corn were, indeed, readily paid; but several other tithes were much disputed, and had long attained a foremost place among the popular grievances.

The Irish tithe system was, indeed, one of the most absurd that can be conceived. Tithes in their original theory are not absolute property, but property assigned in trust for the discharge of certain public duties. In Ireland, when they were not appropriated by laymen, they were paid by an impoverished Catholic peasantry to a clergy who were opposed to their religion, and usually not even resident among them,[3] and they were paid in such a manner that the heaviest burden

[1] Lord Halifax came to Ireland in October 1761.

[2] Burke's *Correspondence*, vol. i. p. 45.

[3] As a very able, and at the same time violently anti-Catholic writer says: 'While the Popish priests .... are indefatigable in performing the duties of their functions .... the Established Church are shamefully

lay on the very class who were least able to bear it. It was a common thing for a parish to consist of some 4,000 or 5,000 acres of rich pasture-land held by a prosperous grazier who had been rapidly amassing a large fortune through the increased price of cattle, and of 300 or 400 acres of inferior land occupied by a crowd of miserable cottiers. In accordance with the vote of the House of Commons in 1735, the former was exempted from the burden which was thrown on the latter.[1] In Limerick, Tipperary, Clare, Meath, and Waterford, there were to be found, in the words of Arthur Young, 'the greatest graziers and cowkeepers perhaps in the world, some who rent and occupy from 3,000*l.* to 10,000*l.* a year, . . . the only occupiers in the kingdom who have any considerable substance.'[2] These men were free from the tithes which were extorted from the wretched potato plot which was the sole subsistence of the cottier. The poor man was probably too ignorant to know that the exemption of pasture-land, being due to the vote of one House of Parliament, had no legal validity, and was sustained only by the terrorism which the landlords and larger tenants exercised over the clergy, but he could hardly fail to feel the gross injustice of his lot, or to perceive that those who had acquired a monopoly of political power had used it to throw their share of the common burdens on the unrepresented poor.

If the clergy had been a resident clergy, discharging duties that were useful to the whole or the great majority of the people, the amount received by them in tithes would probably not have been thought excessive. Their advocates maintained with truth that the full legal tenth was rarely or never exacted. In many, perhaps most, cases a fixed sum called a *modus* was paid by the parishioners instead of the legal tithe of kind, and these customary rates had by long prescription obtained the

neglected by their clergy, who consider nothing but how to make the most money out of their benefices, leaving their incomes to be collected by tithe-mongers, who grind the faces of the poor by every species of oppression, and send the money away to the rectors, who, instead of applying any part of it to acts of charity and hospitality, do not so much as lay it out among those from whom it is collected.'—Sir J. Caldwell, *On the Proposal to enable Papists to take real Securities* (Dublin, 1764), pp. 29, 30.

[1] Mullalla's *View of Irish Affairs*, i. 248–253, ii. 9, 10. Grattan's *Speeches*, ii. 9.

[2] Arthur Young's *Tour*, ii. 101.

force of law. There were instances, no doubt, of extortionate and tyrannical clergymen, but they were not common, and in general it was the tithe-farmer and not the clergyman, as it was the middleman and not the landlord, who oppressed the people. The tithe-proctor who collected tithes for the clergyman, and the tithe-farmer who bought them from him at a fixed rate, were among the worst figures in Irish life, and they were at the same time an inevitable product of the Irish ecclesiastical system. A man of purely scholastic education, untrained in country business, often without an acre of land in his own hands, and without the means of carrying away his portion from a single farm, was manifestly incapable of treating at the same time with several hundreds of Catholic cottiers for his legal rights, estimating the produce of every field, ascertaining and securing the proportion which was due to him. In the few cases in which the circumstances of the clergyman enabled him to do this, his tithes were usually paid with little reluctance.[1] In the great majority of cases, however, the clergyman resorted to an agent, who often intercepted much the larger portion of what was paid. Sometimes the agent charged a percentage in addition to the tithe, and extorted it from the people. More commonly he paid a fixed sum to the clergyman, and recuperated himself by a grinding tyranny of the tenants. Sometimes he sublet his agency for a fixed sum to a subordinate oppressor. Sometimes the cottiers who were unable to pay in full were obliged to give a bond bearing interest, and were in this manner soon reduced to absolute slavery. 'In some of the southern parts of Ireland,' said Grattan, in one of the tithe debates, 'the peasantry are made tributary to the tithe-farmer, draw home his corn, his hay, and his turf for nothing; give him their labour, their cars, and their horses at certain times of the year for nothing. These oppressions not only exist, but have acquired a formal and distinct appellation—tributes.'[2]

[1] 'In parishes where the rectors take the tithes into their own hands, it is acknowledged that the clergyman receives much more than ever he did through the mediation of such agents, besides the additional comfort of seeing peace, harmony, and confidence restored to his district.'—Father O'Leary's defence, O'Leary's *Works*, p. 285.

[2] Grattan's *Speeches*, ii. 45. A full account of the different abuses relating to tithes will be found in Grattan's *Speeches* on the subject in 1787, 1788 and 1789 (vol. ii. of his *Collected Speeches*). See, too, O'Leary's

One of the peculiarities of this system was its complete absence of uniformity, and in Munster, which was much poorer than Leinster and Ulster, and much more densely populated than Connaught, the exaction was especially severe. Grattan stated, what does not appear to have been seriously disputed,[1] that 'the rate of tithing through the whole nation is on an average one-third less than that charged in Munster.' A contagion of rapacity appears to have passed through the Protestant clergy of this province. In the course of a few years, livings often doubled and sometimes trebled in value[2] owing to the increased severity with which tithes were exacted. The bonds which I have just described were called 'Kerry bonds,' being especially common in that county. The tithe of potatoes, which was that which was most oppressive to the poor, was almost peculiar to Munster, being only exacted in very few districts of the other provinces.[3] A tithe of turf and a tithe of furze had been lately introduced, and certain moduses, or compositions, which had elsewhere been substituted for other tithes were in this province unknown. The cottier, it was said in a debate in 1787, often paid 7*l.* an acre for land, received 6*d.* a day for his labour, and paid 8*s.* to 12*s.* for his tithes.[4]

Some of the demands that were made appear to have been of very doubtful legality, and the tithe of turf which was sometimes exacted was pronounced by the Attorney-General to be clearly illegal.[5] It was, however, almost impossible for a poor man to obtain legal redress. By a scandalous injustice all questions of disputed tithes were brought before an ecclesiastical court, so that the same men were both parties and judges in the suit. There was, it is true, a right of appeal, and the Attorney-General in one of the debates on the subject said that 'if any ecclesiastical court should presume to entertain a suit for the subtraction of tithe of turf, the courts of law would grant immediate redress.' The answer of Grattan, however, was very

Tracts, and Arthur Young's *Tour*, ii. 186, 187. The chief works in defence of the system were, *A Defence of the Protestant Clergy in the South of Ireland, in Answer to Mr. Grattan*, by 'Authenticus' (1788), and Bishop Woodward's *Present State of the Church of Ireland* (1787).

[1] See 'Authenticus,' p. 37.
[2] Grattan's *Speeches*, ii. 31.
[3] Ibid. ii. 29.
[4] Ibid. p. 9.
[5] In 1783, *Irish Parl. Debates*, vii. 344, 352. His position was disputed by 'Authenticus,' pp. 49–51.

conclusive. 'It has been admitted that some tithes are illegal, such as those on turf, and the poor man is advised to institute a lawsuit for relief. Are gentlemen serious when they give this advice? or will they point out how the man who earns 5*d.* a day is to cope with the wealthy tithe-farmer who oppresses him?'[1]

This condition of affairs sufficiently explains the violence of the tithe war in Munster, and the sympathy which in their attacks upon tithes the Whiteboys undoubtedly found outside their own body.[2] The clergy had few friends, and the tithe farmer was universally detested. The abolition of the tithe of agistment showed sufficiently the sentiments of the House of Commons, and in Ulster, where the Presbyterians predominated, and where tillage was more common than in the other provinces, the customary tithes were extremely moderate. Potatoes were almost everywhere exempt. Flax, the chief material of the industry of the North, paid only 6*d.* a farm irrespective of quantity.[3] Hemp appears to have been generally tithed at the same rate, and the new charges in Munster excited a very widespread indignation even among Protestants. Woodward, Bishop of Cloyne, was the chief writer who maintained that the Whiteboy movement was a Popish conspiracy, but he acknowledged that it was partly organised by men who were 'nominal Protestants,' and greatly supported by the connivance of Protestant landlords.[4] There were many of these who never entered a church, who looked upon tithes simply as a deduction from their own rents, and who were only too glad that popular indignation should be diverted from themselves to the clergy; and the better members of the class were very justly indignant at the scandalous neglect of clerical duty which was common. In a remarkable speech

[1] *Irish Parl. Debates*, vii. pp. 344, 360.

[2] 'If they [the curates] were the best parish ministers that ever lived, a relation or a dependent to a bishop or a great man would be preferred to them; they are, therefore, often obliged to have recourse to farming for a subsistence, so that both their persons and their offices are brought into the lowest contempt; and it is extremely common for persons of the Established Church to join with the Papists and Presbyterians in clamourous, violent, and tumultuous oppositions against those who exact what are called Church dues, for the use of those by whom no Church duties are performed.' — *Examination whether it is Expedient to enable Papists to take Real Securities, &c.* By Sir James Caldwell (Dublin, 1764), p. 31.

[3] Grattan's *Speeches*, ii. 40, 86.

[4] Woodward's *Present State of the Church of Ireland*, pp. 29, 94.

which was delivered in 1763, Mr. (afterwards Sir Lucius) O'Brien, the member for Ennis, described the condition to which Protestants in the county of Clare were reduced 'from the total neglect of those who have nominally the care of their souls, and actually a tithe of their property.' He stated that in sixty-two out of the seventy-six parishes of the county no Protestant church existed, that 'the rectors of most of them were non-resident, nor was there so much as a curate of 40*l.* a year to supply their place,' and that, therefore, the inhabitants of many parishes were reduced either to a total neglect of all religious duties or to have recourse to a Popish priest. 'One of the bad consequences,' he added, 'of the shameful neglect of our clergy is those Risings which have been mentioned to the violation of all law and the disgrace of all government, for who can suppose that men will patiently suffer the extortion of a tithe-monger where no duty for which the tithe is claimed has been performed in the memory of man? . . . The insurrections against which we are so eager to call out the terrors of the law are no more than branches of which the shameful negligence of our clergy and the defects in our religious Institution constitute the root.'[1]

Under such circumstances, and encouraged by the supineness which was at first generally shown by the local magistrates, the Whiteboy organisation struck deep root and spread silently but rapidly through many counties; and although before 1770 it had nearly ceased, it burst into a new vigour

[1] *Debates on the affairs of Ireland in* 1763 *and* 1764, *taken by a Military Officer* [Sir J. Caldwell], pp. 656–659. In a pamphlet which appeared in 1760 it is said, 'Our poor Protestants are daily falling off from the religion of their forefathers. . . . There are 1,600 parish churches in the kingdom in ruins, and of the 600 that are standing, one-third are ready to tumble, and the clergy do not reside as they ought to. The true cause of the scandalous neglect and almost disuse of divine service in the remote country parishes, where the churches are all in ruins, is chiefly owing to two canons of our own Church, which have certainly done more hurt to the Protestant religion in Ireland than all the rest have done good.' They are the 21st, which forbids the clergy, under pain of excommunication, to preach and administer the sacrament in private houses, except in cases of sickness, and the 45th, which forbids the people to detain their tithes from their parish minister 'by colour of duty omitted.'—*The Pedlar's Letter to the Bishops and Clergy of Ireland* (Dublin, 1760). Sir James Caldwell calculated that there were 'not more than 550 officiating clergy of the Church of England in the whole kingdom, and the greater part of these are poor, miserable curates whose whole income at the most is but 40*l.* a year.'—Caldwell on *The Act to enable Papists to take Real Security*. On the neglect of public worship by the upper classes, see Woodward, p. 62.

in Kildare, Kilkenny, and the Queen's Co. in 1775, and continued there with partial interruptions till 1785, when it again spread widely through Munster.[1] Every season of distress intensified it, and although it has undergone many transformations, assumed many names, and aimed at many different objects, it cannot be said to be extinct at the present hour. The names of those who constructed it will never be known, but they were evidently men of some education and of no small organising ability, and they created a system of intimidation which in many districts became the true representation of the Catholic peasantry, and which often made it much safer to violate than to obey the law.

In some cases the Whiteboys acted with all the audacity of open insurgents. Great bodies of men traversed the country, often in the open daylight, wearing white cockades and blowing horns. In several cases they awaited an encounter with soldiers. They broke open the gaol at Tralee and released the prisoners. They threatened to burn the town of Newmarket, in the diocese of Cloyne, unless a Whiteboy confined there was released. They burnt several houses which soldiers had occupied, and alarms were spread, though apparently without real foundation, that they were seeking by intercepting provisions to threaten Limerick, Cork, and Ennis with famine.[2] On one occasion in the beginning of the outbreak they assembled at Lismore, and affixed a placard at the post office door requiring the inhabitants on the following night to illuminate their houses and provide a certain number of horses bridled and saddled, and the injunction was punctually obeyed.[3] On another, they marched into the large village of Cappoquin,

[1] Lewis on *Irish Disturbances*, p. 19.

[2] This was asserted by Bishop Woodward in his very alarmist pamphlet, p. 96. The reader should, however, compare the account, given by Father O'Leary in his curious and eloquent 'defence of his conduct and writings,' of the exaggerations which gained currency under the influence of panic. Among others, in Monkstown (near Cork), at the height of the bathing season, 'two wags for the sake of diversion sounded an old horn in the dead of the night and threw all the ladies and gentlemen into a panic. In the space of three weeks this nocturnal sport was represented in the distant prints as a serious blockade by Capt. Right at the head of 500 men.'—O'Leary's *Works* (Boston 1868), p. 308. Lord Halifax wrote in strong terms about the great exaggerations concerning the Whiteboy organisation that were disseminated.—Halifax to Egremont (Secret), April 17, 1762 (Record Office).

[3] Lewis's *Irish Disturbances*, p. 6.

drew up in front of a horse barrack, fired several shots, and marched by the sentry who was on guard while their piper played 'The Lad with the White Cockade.'[1] On a third, a large party well mounted and clad in white rode into the little town of Kilworth, in the county of Cork, at three in the morning, firing many shots, and compelled the inhabitants at once 'to illuminate their windows, which was done speedily and in great order, more from fear than respect.' The terrified inhabitant who wrote to inform the Government, had heard that 7,000 men were assembled in the mountains near Dungarvan, and that 20,000 would 'assemble next week near this town to go on some grand project.'[2] More commonly, however, the tactics of the Whiteboys were less ostentatious, but much more formidable, and their small parties moving silently in the dead of night committed depredations which threatened to reduce a great part of Ireland to absolute anarchy.

They announced from the beginning, that their object was 'to do justice to the poor by restoring the ancient commons and redressing other grievances,'[3] and they soon undertook to regulate the whole relation between landlord and tenant, and to enforce a new system of law wholly different from the law of the land. They waged especially a desperate war against tithe-proctors and tithe-farmers, against the system of Kerry bonds, against a class of men called canters, who were accustomed to bid for the tithe of their neighbours' land, and who by Whiteboy terrorism were almost extirpated from Munster.[4] They issued proclamations forbidding any man under terrible penalties to pay higher rates of tithe than they specified. They seized arms wherever they could obtain them, compelled all whom they suspected of connivance with the Government to abandon their farms under pain of having their houses burnt over their heads, and avenged by fearful crimes every infringement of their code.

As early as January 1762 an informant writes from the county of Tipperary that 'above 500 men frequently assemble with shirts over their clothes doing whatever mischief they

[1] Lewis's *Irish Disturbances*, p. 6.
[2] *Irish Departmental Correspondence*. Irish State Paper Office.
[3] Lewis, p. 5.
[4] Woodward, p. 46.

please by night, under the sanction of being fairies, as they call themselves.' 'The fairies are composed of all the able young fellows from Clonmel to Mitchelstown.' They had levelled great numbers of enclosures, sent many threatening letters, rescued property which had been seized by landlords for non-payment of rent, compelled cloth weavers to lower the price of their goods, seized all the horses they could discover around Cahir, and established such a terrorism in the county that if any farmer dismissed a servant or a shepherd no one dared to take his place unless 'he had more interest with the fairies.' No one was allowed to bid for a farm which had been put up to auction until it had been waste for five years on pain of death or of the burning of his house.[1] Grass land was sometimes turned up to oblige the landlord to let it for tillage, and great numbers of cattle were killed or hamstrung. A letter in 1778 tells how a single person passing from Ballinasloe fair to Clara had 760 sheep killed in one night, and next morning no one dared to send him a horse to carry away the carcasses, or to bid more for them than 3*s.* 6*d.* a sheep, that being the rate which the Whiteboy proclamations had prescribed. In the same year the chief inhabitants of a portion of the King's County, speak, in a memorial to the Government, of 'vast numbers of people assembling in, and going on foot and horseback through, the county by night, burning hay and corn, houghing, killing, and maiming cattle of every kind in great numbers, writing and posting up anonymous letters and notices threatening death and destruction to several individuals if they pay their tithes, taxes, hearth money, or exceed certain prices for land, and refuse to comply with their unlawful demands and combinations.' The exportation of corn and flour was sometimes obstructed by force, masters were compelled to release their apprentices, daughters of rich farmers were carried away and forced into marriage, sums of money were levied from farmers to defend the Whiteboys on their trial. In some districts large bodies of men appeared on market day on the roads round some county town, or on Sundays near the chapel doors, compelling all who passed to swear that they would obey the laws and future commands of Captain Right. Many

[1] *Civil Petitions*, Irish Record Office.

fictitious names were attached to the Whiteboy proclamations, but that of Captain Right soon predominated, and it became more powerful in Munster, and in many counties in Leinster, than King or Viceroy or Parliament.[1]

A few murders of great atrocity were committed; but murders were much more rare in the early Whiteboy movement than in the later periods of Irish agrarian crime, and the writers who showed the strongest disposition to aggravate the character of the disturbances are almost silent about them.[2] Sometimes those who had violated some article of the Whiteboy code were merely seized and compelled to swear that they would never repeat the offence; but more commonly they were punished with great atrocity. One of the mildest punishments was to drag a man at midnight from his bed, often in midwinter, beat him, and leave him bound and naked in a ditch by the roadside. In one case, which is related in detail, the captors bound their prisoner to the post of a turnpike gate and compelled the keeper to swear that he would not relieve him till a certain number of hours had passed. In another, they carried a man who had threatened to inform against some illicit distillers about a mile on a bier, and left him bound in the very streets of Cahir, where he remained unrescued the whole night. Not unfrequently they carried their victim to a newly dug grave and left him, sometimes with his ears cut off, buried up to the chin in earth, or in thorns or furze. Men were placed naked on horseback on saddles covered with thorns, or with a hedgehog's skin. Many cottages were burnt and their inmates forced to abandon the country. A man once appropriated two pounds of powder which had been concealed for the Whiteboys. They discovered him, and having obliged him to pour the powder into his hat, they placed it beneath him, ignited it, and blew him to pieces. Their threatening notices were filled with the most savage

[1] Papers on 'The State of the Country.'—Irish State Paper Office. See, too, many particulars collected by Woodward and by Arthur Young.

[2] O'Leary says:—'In the long space of fifteen months, whilst the disturbances continued, until the present Earl of Carhampton (then Lord Luttrell) came to Munster, I never heard of any murder committed by the Whiteboys.'—*Works*, p. 307. 'The Bishop [Woodward] cannot produce one single instance of any man's being murdered by the Whiteboys in the counties of Cork or Kerry.'—Ibid. p. 311.

menaces, and their outrages in some districts were so frequent and so severe that scarcely anyone dared to resist them. The description given, by a conspicuous magistrate, of the agrarian crime in 1831 may be applied without qualification to the period of the first Whiteboy rising: 'The combination is directly opposed to the law, and it is stronger than it, because it punishes the violation of its mandates with more severity and infinitely more certainty. If a peasant resists the combination it is scarcely possible he can escape punishment; if he violates the law his chance of escape is at least fifty to one.'[1]

The insurrection sprang in the first instance from intolerable misery not a little aggravated by injustice; but it speedily drew into its vortex all the restless, criminal, and turbulent elements of the community, and its demoralising influence can hardly be exaggerated. For a time it almost paralysed the law. Over large districts no tithes were paid, and scarcely anyone dared to distrain for rent, or even to impound trespassing cattle.[2] Unlike ordinary crime, the Whiteboy outrages were systematically, skilfully, and often very successfully directed to the enforcement of certain rules of conduct. Strangers were wholly unmolested, and in this, as in later periods of agrarian crime, extreme social disturbance led to no highway robbery.[3] It

[1] Lord Oxmantown, quoted by Lewis, p. 237. Hely Hutchinson related in the Irish House of Commons that, having heard that many of the tenants-at-will on his own estate in the county of Waterford were joining in the combination against the clergy, he threatened any who did so with immediate ejection. They answered that they could not help it, for it was better to be ejected than to have their throats cut, which would be the infallible consequence of refusal.—Caldwell's *Debates*, p. 85. Sir R. Musgrave, who was High Sheriff of the county of Waterford, once sentenced a Whiteboy to public whipping, but he could find no one to execute the sentence, though he offered twenty guineas, and though a large body of troops were present to protect the executioner. He accordingly executed it himself.—*Woodward*, p. 97. I have taken most of the accounts of Whiteboy outrages from the papers on the subject in the Irish State Paper Office.

[2] Woodward, p. 97.

[3] Twiss's *Tour in Ireland*, p. 197. Mrs. Delany had before noticed that 'a comfortable circumstance belonging to this country is that the roads are so good and free from robbers that we may drive safely any hour of the night.'—*Correspondence*, ii. 626. Bianconi, after the peace of 1815, established the well-known public cars, which soon extended over almost the whole of Ireland, and were running during one of the worst periods of agrarian crime and distress ever known in the country. In a paper read in 1857 he made this remarkable statement:—'My conveyances, many of them carrying very important mails, have been travelling during all hours of the day and night, often in lonely and unfrequented places; and during the long period of forty-two years that my establishment

must be added, however, that although the crimes of the Whiteboys were undoubtedly many and grievous, they were greatly and often systematically exaggerated. The panic they inspired, the mystery hanging over obscure, nocturnal, ill-reported outrages in remote districts, the natural desire of the classes who were chiefly menaced to magnify the disturbances in order to compel Government to send troops for their protection, the animosities of class and creed which coloured most Irish narratives, all contributed to the exaggeration. Every crime that took place in a country which had at all times been exceedingly lawless was attributed to the Whiteboy organisation, and later writers have a very natural tendency to relate acts of extreme and exceptional atrocity as if they were fair samples of the ordinary crimes. Among the many curious Whiteboy proclamations which fell into the hands of the Government there are some disclaiming all connection with some particular outrages, and complaining that unauthorised men were going about the country pretending for their own purposes to be Whiteboys.[1] There was no general attack either on landlords or on the clergy of the Established Church, and particular proprietors are sometimes spoken of with marked respect.[2] In a very remarkable and touching proclamation, which was issued in the county of Cork in the beginning of 1787, Captain Right disclaims any wish to break the law or to rob the landlord, but denounces the unjust, and, as he believed,

is now in existence, the slightest injury has never been done by the people to my property or that entrusted to my care.'—Mrs. O'Connell's *Life of Bianconi*, p. 83.

[1] Fourteen sheep belonging to a Mr. Tennison having been stolen, he received a notice signed Sieve Oultagh (a favourite Whiteboy signature), declaring that this was not done by her or her children, but by 'some rogues,' 'unknown to me,' and promising to protect his property to the best of her power, and 'clear the country' of those who had injured it. In another letter with the same signature it is said:—'She [Oultagh] and her company does not intend or mean following any bad practice, but to the contrary, to relieve the poor who are oppressed by most people, and especially by tithe-mongers whom she intends obstructing in their exorbitant prices, and also to open commonages and level them; and as to your walls being thrown down, it was not out of malice or hatred to you, but because you encroached on the road.'—*Book of Entries, Civil Petitions*, Irish Record Office.

[2] Thus one curious proclamation of 1788, signed by Captain Right, orders a suspected informer to leave the country and 'give up her lands to Lady Fitzgerald without law or clamher [*sic*] for her Ladyship's honour never intended to hurt any of my men and is ever a friend to them, and for that reason I shall see her justified.'—Irish State Paper Office (Miscellaneous Papers).

illegal confiscation of the improvements of tenants as the chief grievance to be redressed.[1]

In some districts and periods the outbreaks were chiefly agrarian; in others they were more especially directed against tithes. At first the Protestant clergymen appear to have been rarely or never molested, and the tithe-farmer was the special object of the popular antipathy. There were, however, some instances of clergymen who received savage threatening letters, and were obliged to fly from their parishes through fear of Whiteboys, and in a few cases their houses were attacked, their property was injured, and they themselves underwent atrocious personal outrages.[2] Lord Luttrell once related to the Irish House of Commons how one of his friends riding one morning near the town of Urlingford in the county of Kilkenny, found a pair of ears and a cheek nailed to a post, and soon after he overtook a muffled figure riding on in great and evident pain, which proved to be the clergyman to whom they belonged.[3]

It is not surprising that in the extreme panic produced by the outbreak it should have been attributed to political or religious causes. It was reported that French money was

[1] This proclamation is so curious as illustrating the agrarian notions of the Whiteboys, and also the long persistence of some of the causes of Irish disturbances, that I shall give the chief parts in spite of their length: 'Land-setters in whom the fee-simple lies have encouraged their tenants to manure and improve their lands on presumption of renewing their leases when they expire.' 'The poor tenant being encouraged by the land-setters' deluding speeches will go on with building, ditching, draining, and planting fruit and forest trees until he drains himself from every penny he can collect or make, having implicit reliance on the landlord's former promises, and enjoying the thoughts of him, his son or daughter, having the pleasure and satisfaction of keeping the benefit of his money and labour. Now, dear brethren, ye will give me leave to inform ye that I declare myself as true and faithful a subject as any in Ireland, both to King and government, and as the laws of England are our chief directory and always governed by them (*sic*), in England, when the tenant's lease is expired no man will dare cant him or his children off their farm, nor will the landlord dream of setting to any other person but the occupier. This is the fair, honest mode of proceeding practised in England, which mode shall be established in this kingdom. . . . Let no man in like manner think that I want to encourage any tenants to rob or deprive the landlord of being offered the full value of his ground. No, I do not; and in case of a misunderstanding between the land-setter and occupier, in such case or difference I order that such tenant will take from the land-setter at the valuation of two or three honest, disinterested gentlemen of that part of the country, who will be judges of the soil and constitution of the country; any tenant refusing this order to be banished, punished, and deemed a dishonest man.—(Signed) Captain Right. *Papers on the State of the Country*, Irish State Paper Office.

[2] See these cases in Woodward, pp. 99–103.

[3] *Irish Parl. Debates*, vi. 432.

frequently found in the pockets of arrested Whiteboys, that men with the appearance of officers and speaking French had been seen in remote districts of the south, that Whiteboys had been known to march in large bodies and with the discipline of regular soldiers, that the beginning of the disturbances synchronised with the expedition of Thurot, that the whole movement was a Popish insurrection directed against Protestants, as such, and fostered by the French, with whom we were at war. The culprits, it was said, were chiefly if not exclusively Papists. One of the main objects of their hostility was the tithe which was paid to the Protestant clergymen. Whiteboy meetings were said to have been sometimes held in remote chapels. Whiteboys were accused of systematically disarming the Protestants, breaking into their houses and seizing their guns. Lord Dunboyne, Mr. Butler, and several other Catholic gentlemen of the county Tipperary were obliged to go to Dublin to enter bail on the charge of supporting the Whiteboys.[1] A priest who had been degraded for some ecclesiastical offence accused the Catholic Archbishop of Cashel of having, in conjunction with other Catholic bishops and with foreign agents, originated the Whiteboy disturbances in order to assist a French invasion, to restore the Pretender, and to extirpate heresy from Ireland, and although his deposition bore on its face clear marks of falsehood, and was considered absolutely worthless by the Government, some were found to believe it.[2] Fear and religious hatred combined to make men believe any story which gave a colour to the theory that a massacre of Protestants was intended. The House of Commons in one of its resolutions spoke of 'the Popish insurrection in Munster,' and several later writers have supposed that a religious or political element mingled with, if it did not produce, the Whiteboy movement.

The evidence, however, against this theory is, I think, conclusive, and the appearances which gave it some plausibility may be easily explained. It can be established by the clearest proof that the first Whiteboy disturbance did not take place till

[1] Crawford, ii. p. 319.

[2] See Musgrave's *Rebellions in Ireland*, appendix i. On the completely worthless character of the evidence adduced to prove the political and religious character of the disturbances, see Arthur Young, i. 82. Killen's *Ecclesiastical History of Ireland*, ii. 285–287.

near the close of 1761—more than a year after the expedition of Thurot.[1] If French money was sometimes found, if Frenchmen were sometimes seen among the peasants of Kerry, this was only the natural consequence of the smuggling trade with France which was incessantly carried on along the whole line of coast. In a province where nearly all the poor were Catholics an extensive disturbance must necessarily have been chiefly Catholic, and it is not surprising that those who sought to plunder arms should have turned chiefly to Protestant houses, as Protestants alone were by law allowed to possess them.[2] Tithes were hated as an unequal and oppressive impost falling upon a people who were already sunk in the lowest depths of poverty, and religious feeling had little or nothing to say to the antipathy. The tithe-farmer, who was quite as often a Papist as a Protestant,[3] was much more hated than the clergyman, and the Whiteboy made it his object to reduce the dues paid to his own priest as well as the tithes that were paid to the rector.[4] As I have shown in a former chapter, the conversion of arable land into pasture, which was the chief agrarian grievance, was much more universal among Catholics than among Protestants, for the penal laws about land discouraged in the highest degree the cultivation of the soil, and the Catholic landlord or large tenant almost invariably turned his land into pasture in order to evade the cupidity of the discoverers.[5]

[1] In addition to the passages I have already given, the reader will find much evidence of this in Lewis on *Irish Disturbances*. Sir C. Lewis has justly adverted to the apparent dishonesty of Sir R. Musgrave in antedating the beginning of the movement, contrary to the clearest evidence, to make it coincide with Conflans' intended expedition. (P. 18.)

[2] That the law preventing Catholics from possessing arms without licence was by no means inoperative may be inferred from a statement of Lord Halifax: 'A vigorous search for arms has by my orders been made in the houses of Papists in that city [Cork] and county, and the result was that in a city so populous and a county so extensive, and both so full of Roman Catholics, no more than thirty unserviceable firelocks and a few hangers have been found.' Halifax to Egremont, April 17, 1762, Record Office. In the King's instructions to Lord Hertford (August 1765) there is a special clause about enforcing this law.

[3] See vol. ii. p. 313.

[4] O'Leary's *Works*, p. 283.

[5] See vol. ii. pp. 245–246. 'The oppression of the poor in the south proceeds very much from the Papists themselves, as the graziers who engross the farms are mostly Romanists. . . . Till some step is taken in favour of tillage and the poor, Whiteboyism will probably remain.'—Campbell's *Philosophical Survey*, p. 315. 'Papists,' said another contemporary writer, 'instead of improving on a short tenure, keep their lands waste to prevent as much as possible any temptation to leases of reversion, which Protestants alone are qualified to take. Pasturage, a lazy, wasting, and

We are not, however, obliged to base our judgment of the Whiteboy movement on doubtful inference. Positive evidence of the most decisive character attests its unsectarian and unpolitical character. The Government sent down a commission of experienced lawyers to inquire into its origin, and published in the 'Gazette' their official report, that 'the authors of these disturbances have consisted indiscriminately of persons of different persuasions, and that no marks of disaffection to His Majesty's person or government have been discovered upon this occasion in any class of people.'[1] Lord Egremont, the Secretary of State, wrote from London to the Lord Lieutenant in much alarm that it was reported in England that a great disciplined Popish insurrection had arisen under French instigation in Munster. In his reply, Halifax enumerated the stringent means he had taken to discover the truth. Letters in the post office had been searched. All suspicious persons had been arrested and their papers examined, and every kind of encouragement had been held out to those who could give intelligence. And yet, says Lord Halifax, 'not one particular of the matters suggested to your lordship has hitherto come with the smallest degree of authenticity to my knowledge. No French officers in disguise have been taken; no trace of traitorous or suspicious foreign correspondence has been discovered; none of those stated and measured rendezvous to learn military discipline by moonlight have been found out. It does not even appear that these rioters were furnished with many arms. . . . Protestants, as well as Papists, have been concerned in these tumults—one or two of the most considerable of those we have hitherto detected are Protestants; these outrages have fallen indiscriminately on persons of both persuasions, and I cannot yet find that any matter of state or religion has been mentioned at their meetings.'[2] Sir Richard Aston, the Chief Justice of

depopulating sort of industry, is alone adapted to their condition.'—*The Dangers of Popery to the Present Government, examined by M. O'Connor* (Dublin, 1761), p. 24. 'The law about informers,' says another writer, 'has put a stop to agriculture, and converted the Popish landholders into a huge tribe of graziers like our Scythian ancestors. Pasturage is one defence with them against informers, and is their sole occupation.'—*Observations on the Popery Laws* (1771), p. 30.

[1] Lewis, pp. 13–14.

[2] Halifax to Egremont (Secret), April 17, 1762.—Record Office.

Common Pleas, and Serjeant Malone were sent on a commission to try the prisoners, and the former drew up a report, in which the latter concurred, exactly to the same effect. 'Upon the strictest inquiry,' he says, 'into the causes of the many outrages committed in different parts of the province of Munster there did not appear to me the least reason to impute those disturbances to disaffection to His Majesty, his Government, or the laws in general; but, on the contrary, that these disorders really and not colourably took their rise from declared complaints and grievances of a private nature. . . . It ever turned out to be the result of some local dissatisfaction. . . . The subject-matter of their grievances was chiefly such as price of labour too cheap, of victuals too dear, of land excessive and oppressive. In some instances their resentment proceeded against particular persons for their having taken mills or bargains over the head of another, . . . and turning out, by a consent to an advanced price, the old tenant. . . . In the perpetration of these disorders (however industriously the contrary has been promoted) Papists and Protestants were promiscuously concerned, and, in my opinion, the majority of the former is with more justice to be attributed to the odds of number in the country than the influence arising from the difference of principles.'[1]

This evidence applies to the first outburst of the Whiteboy movement. That its subsequent outburst was equally unconnected with religious or political motives is, I believe, no less certain; although it is, of course, possible that in particular districts religious animosities may have mixed with and intensified the class war, and although it is, I believe, true that Whiteboy meetings were sometimes held in Catholic chapels. The mass of the poorest and most lawless class were Catholic, and occasions when they came together were often made use of for purposes of organisation. The Government in Ireland, however, with a steady and praiseworthy honesty, discouraged the rumours which represented the outrages as distinctively Popish. In 1786 Hely Hutchinson, who was then Secretary of State, declared with great emphasis in the Irish House of Commons that 'the Roman Catholic clergy had been treated with the utmost cruelty by the same insurgents and rioters that had

[1] Burke's *Correspondence*, i. 37–41.

insulted and injured many of the Protestant clergy;' and 'that the disturbances did not proceed from religious prejudices.'[1] One priest in the county of Kildare was buried up to his neck in brambles and thorns for having denounced the Whiteboys,[2] and a very considerable number of Protestants of the lower orders were implicated in the later outrages.[3] Arthur Young, in 1779, after a careful examination, gave it as his decisive opinion that no religious or political motives mingled with the disturbances; and that the only evidence that had been adduced to the contrary was that of informers 'of the most infamous and perjured characters.'[4] Lord Charlemont was strongly anti-Catholic in his sentiments, and he erroneously believed that the Whiteboys were exclusively Catholic, but his opinion about the causes of the disturbance was equally decided. 'The real causes,' he said, 'were . . . exorbitant rents, low wages, want of employment, farms of enormous extent let by their rapacious and indolent proprietors to monopolising land-jobbers, by whom small portions of them were again let and re-let to intermediate oppressors and by them subdivided for five times their value among the wretched starvers upon potatoes and water; taxes yearly increasing, and still more tithes, which the Catholic, without any possible benefit, unwillingly pays in addition to his priest's money; . . . misery, oppression, and famine.'[5]

I have dwelt upon this point at some length, because the assertion that the Whiteboy disturbances were a kind of religious war has been repeated even to our own day. It owes its origin partly to the natural panic which spread through the few scattered Protestants of Munster, and partly also to political

[1] Irish *Parliamentary Debates*, vi. 409, 445.

[2] Lewis, p. 31. Several other instances of the ill-usage of priests by the Whiteboys will be found in O'Leary's defence.—*Works*, p. 298.

[3] O'Leary's *Works*, p. 296–297. In the county of Cork some of these Protestants were brought to trial, and O'Leary quotes the statement of a Protestant clergyman, who was a magistrate in the county of Kerry, about the proceedings in that county: —'Many Protestants, though I thank my God mostly of the lower order, were engaged in tendering oaths, in procession by day and in outrages by night. . . . Nay, some of them were captains of these lawless corps, and have been obliged to fly from the prosecution that awaited them.'

[4] *Tour in Ireland*, i. 81–85.

[5] *MS. Autobiography*. I must take this opportunity of expressing my acknowledgments to the present Lord Charlemont for permission to examine his very valuable collection of the papers of his great ancestor, and to Mr. J. P. Prendergast for much kindness which he has shown me in connection with them.

motives. Yet it is certain that a large part of the Catholics exerted themselves quite as much as the Protestants in suppressing the disturbances. In Kerry the most active person in arresting the Whiteboys was Lord Kenmare, the great Catholic nobleman of the county; and the Protestant clergy assembled at Tralee voted an address to him, thanking him for his admirable exertions for their protection.[1] In the county of Kilkenny the first effectual stand against the Whiteboys was made by the Catholic inhabitants of the little town of Ballyragget, who, at the cost of several lives, repelled a party who had attacked one of their houses.[2] The Catholics of Cork, at the very beginning of the disturbances, met to concert measures for their repression, and offered a large reward for the apprehension and conviction of the rioters.[3] Considering that the priests had usually sprung from the lower order of the people, and that they were wholly dependent upon them, they appear on the whole to have acted with great uprightness and courage. The Catholic bishop of Cloyne, in March 1762, issued a pastoral urging those of his diocese to use all the spiritual censures at their disposal for the purpose of repressing Whiteboyism; and some years later, Dr. Troy, who was then titular bishop of Ossory, received the thanks of the Lord Lieutenant for his strenuous exertions in the same cause.[4] The Whiteboys were constantly excommunicated from the Catholic altars,[5] and one of the effects of the movement was for a time very seriously to diminish the influence of the priests. In some cases the chapel doors were actually nailed up against them by their congregations. Their dues were greatly diminished, and several were obliged to save themselves by a hasty flight.[6] A notion was spread abroad through Munster that if the Whiteboys for a time abandoned their own worship

[1] O'Leary, pp. 297–298.

[2] Arthur Young's *Tour*, i. 83–84.

[3] *Halifax to Egremont*, April 17, 1762. Record Office.

[4] Lewis, pp. 30–31.

[5] Ibid. Twiss's *Tour in Ireland*, p. 231.

[6] O'Leary's *Works*, pp. 302, 402. 'The populace,' wrote Bishop Woodward, 'have not only lost all fear of the magistrates, but have likewise shaken off that restraint which might be expected to take place from the remonstrances of the clergy of both persuasions. The authors of these disturbances, by pointing out to the misguided mob the secular Roman Catholic priests as extortioners in common with the established clergy, have entirely done away with that influence which on other occasions has been found useful in the prevention of outrages.' (P. 97.) See, too, Lewis, p. 30.

and attended the Protestant churches they would acquire, like the Protestants, the right of keeping arms in their possession, and this notion led to scenes which had never before been witnessed in Ireland. Catholic chapels for many months were almost deserted, while the quiet Protestant churches were thronged by wild and tattered congregations come to qualify themselves for midnight outrages, and hands were thrust into the baptismal font for holy water, and beads were counted, and Ave Marias repeated around the communion rails.[1]

The truth is, that the real causes of the Whiteboy outbreak are to be found on the surface. Extreme poverty, extreme ignorance, and extreme lawlessness made the people of a great part of the south of Ireland wholly indifferent to politics; but their condition was such that the slightest aggravation made it intolerable, and it had become so miserable that they were ready to resort to any violence to improve it. Perhaps the best picture of the condition of affairs is to be found in one of the reports of Robert Fitzgerald, the Knight of Kerry, a very active, and apparently a very able and upright magistrate of that county. 'The better sort of the Roman Catholics,' he says, 'seem extremely well affected to Government: the Popish bishop and clergy have exerted themselves in promoting this; the lower orders are in a state of distress beyond anything known in the memory of man. The great rents of this county belong to persons resident out of Ireland, whose agents are severe in collecting them; the lower class, upon whom the burthen falls, cannot dispose of their goods, for there are literally no buyers, the little money the country affords is carried off for absentees, and there is scarce a guinea left. The miserable tenantry, when pressed by their landlords, bring them all their cattle, and having no grass for them, offer them at half-price, and the common people are actually in a state of despair, ready for any enterprise that might relieve their present suffering. In the three baronies, which are maritime, remote, and exceedingly mountainous, there are a great number who are indicted for various offences, and secure themselves from justice in their inaccessible mountains.' He suggests that if the skeleton of a regiment under command of officers of the county were formed, the people would gladly flock

[1] O'Leary's *Works*, pp. 290–291.

in multitudes to the standard of the King, and there would not be the smallest difficulty in filling the ranks. 'It seems,' he adds, 'to me equally certain that if the enemy should effect a landing anywhere within one hundred miles of these people they will most assuredly join them.'[1]

The supineness with which the movement was at first regarded by the magistrates soon terminated, and the Irish Parliament passed a series of very severe enactments against the Whiteboys. By an Act of 1765, all persons who went by night in parties of five or more men wounding, beating, tying up, or otherwise assaulting human beings, destroying property, or digging up ground—all who were engaged in breaking open gaols or rescuing felons, and also all who imposed unlawful oaths by violence, were made liable to death, and stern measures were adopted to meet the connivance of the district. Unless the offenders were given up, or at least unless some evidence was given against them, the grand juries were empowered to levy on the barony in which a crime was committed a sum to compensate the injured person, and another clause, copying one of the enactments of the penal code against Papists, enabled any magistrate to summon before him any persons whom he suspected of having taken an illegal oath, examine them upon the subject, and imprison them for six months if they refused to answer. The Act was only for two years, but it was afterwards prolonged on the ground that it had 'greatly contributed to the peace and quiet of the kingdom.' But ten years later it was found necessary to make an additional law which, besides creating some new misdemeanours, immensely added to the list of capital offences. Among these were now reckoned maiming or disfiguring human beings, sending threatening letters,

[1] Robert Fitzgerald (of Woodford, Rathkeale), Reports on the state of Kerry, July 27, 1779.—*State Papers: State of the Country.* Irish State Paper Office. Sir R. Aston writes: 'I believe, indeed, that if the Dey of Algiers had landed with any force and a stand of arms at such a time, people in such a temper of mind would have readily been induced to join him or a prince of any religion, either for the sake of revenge or exchange of state, rather than continue in their conceived wretchedness.'—Burke's *Correspondence*, i. 39. In 1770 (Nov. 23), Townshend wrote to Weymouth: 'I hope to be excused for representing to his Majesty the miserable situation of the lower ranks of his subjects in this kingdom. What from the rapaciousness of their unfeeling landlords and the restrictions on their trade, they are amongst the most wretched people on earth.'— Record Office.

compelling men to quit their farms, habitations, or employments, or to join in Whiteboy offences, entering houses by force or menace between sunset and 6 A.M., in order to take horses, weapons, or money, and, finally, assisting or concealing Whiteboys who had committed any capital offence. The magistrates were given full powers of searching for arms, of obliging those who could give evidence to enter into recognisances to prosecute, and of compelling all suspected persons to answer their questions on oath. Nothing said on examination was to be used as evidence against these persons unless they were indicted for perjury; but, on the other hand, if they refused to answer or to prosecute when required, they were liable to an unlimited imprisonment.[1]

By the stringent enforcement of these Acts, and by the enrolment of large parties of volunteers under the command of the local magistrates, the Whiteboy organisation was, for a time at least, successfully stamped out over large districts. As might have been expected from the provocation, the repression was often very violent, and it is to be feared that acts of cruel, arbitrary, or unjust violence were not unfrequently committed.[2] In some districts, it is said, so many of the inhabitants fled in terror from their homes that the land remained untilled, and there were grave fears of a famine.[3] One of the strangest episodes of the Whiteboy period was the exuberant gratitude which was shown in Tipperary to Sir Richard Aston, the Chief Justice of Common Pleas, who appears to have shown in the trial of Whiteboy cases a moderation and humanity rarely found among the local magistrates. 'For about ten miles from Clonmel,' writes a contemporary Protestant historian, 'both sides of the road were lined with men, women, and children,

[1] 5 Geo. III. c. 8; 7 Geo. III. c. 20; 15 and 16 Geo. III. c. 21.

[2] See Burke's *Correspondence*, i. 43. Charlemont says that the hunting of Whiteboys became a fashionable chase, and that he had himself heard Lord Carrick exclaim with delight, 'I have blooded my young dog, I have fleshed my bloodhound,' after a successful hunt in which his son had participated. — *MS. Autobiography.* Sir Edward Loftus, one of the magistrates for the county Kilkenny, accused his brother magistrates of having in 1779 shamefully broken faith with some Whiteboys who surrendered on promise of amnesty. Several of these Whiteboys, he says, were tried for offences committed prior to their arrest, and one was sentenced to death.—*Book of Entries. Civil Petitions*, October 1780, Irish Record Office.

[3] *A Candid Enquiry into the late Riots in Munster* (1767), p. 23.

who, as he passed along, kneeled down and supplicated Heaven to bless him as their protector and guardian angel.'[1]

One case of oppression has acquired a great prominence in Irish popular traditions, and it appears indeed to have been exceedingly flagrant. Nicholas Sheehy, the parish priest of Clogheen, in the county of Tipperary, was a man of very respectable parentage, and related to several of the Catholic gentry of the district. He was described by an historian of his own faith[2] as 'a giddy and officious, but not ill-meaning man, with somewhat of a quixotic cast of mind towards relieving all those within his district whom he fancied to be injured or oppressed,' and it is admitted that many hundreds of his parishioners were Whiteboys. Whether, as is very probable, Sheehy had been criminally mixed up with the movement, or whether he had simply set himself up as an opponent of acts of local oppression, it is now impossible to say, but it is certain that he had made himself in the highest degree obnoxious to the Protestant gentry of his neighbourhood, that he was more than once arrested but released through want of evidence, that after his release he thought it necessary to leave his parish and retire for a time from observation, and that the Government considered the *primâ facie* case against him sufficiently strong to offer a reward of 300*l.* for his apprehension. The proclamation promising this reward came under his notice, and Sheehy at once wrote from his concealment offering to surrender to be tried 'for any crime he was accused of,' on condition that he was not tried at Clonmel, 'where he feared the power and malice of his enemies were too prevalent for justice,' but at the King's Bench, at Dublin. The offer was believed to have been accepted,[3] and after a delay of nearly eleven months,

[1] Crawford's *History*, ii. 318.

[2] Curry.

[3] The contemporary narrative of Curry, which has been generally followed, states that the offer was positively accepted. There is, however, a letter in the Irish Record Office from Mr. Waite, the Secretary at the Castle, to Sheehy (March 5, 1765), in the following terms: 'Sir,—Yesterday I received your letter from Ballyporeen with the two papers inclosed therein, and having laid the same before the Lords Justices, Their Excellencies have commanded me to acquaint you, that if you will surrender yourself to Mr. O'Callaghan you may depend upon his receiving and treating you with all civility, and that you will by him be transmitted in the most private manner to Dublin with the utmost security and safety to your person. I write to him for that purpose this night by order of the Lords Justices, and you may be assured that upon your arrival here, *you will meet, not only with the justice you desire*, but with such further regard as your candid behaviour may deserve.'—*Book of Entries, Civil Petitions.*

Sheehy was brought to trial in February 1766, on the charge of 'inciting to riot and rebellion.' The only three witnesses against him were persons of infamous character, and the Dublin jury disbelieved their very explicit testimony, and after a trial which lasted fourteen hours acquitted the prisoner. He was not, however, allowed to leave the court, but was at once detained on the accusation of having instigated Whiteboys to murder John Bridge. This man was a Whiteboy, who under the influence of flogging had consented to turn King's evidence, had accused Sheehy and several others of being mixed up in the conspiracy, and had disappeared suddenly since the close of 1763. His body was never found. It was sworn on the trial that he had expressed his intention of flying from the country, and though it is probable he was murdered, the fact cannot be said to have been ever positively established.[1] In spite of the implied promise Sheehy was tried by his enemies at Clonmel, and the trial appears to have been one of the most scandalous ever known in Ireland. The most important witnesses were the three whose testimony had already been discredited by a Dublin jury. A party of horse surrounded the court and admitted or excluded those whom they pleased, and the intimidation exercised was such that the attorney of Sheehy found it necessary to leave Clonmel by night. The chief witness for Sheehy was a person named Keating, of known property and credit in the county, who swore in the clearest and most emphatic manner that Sheehy had been lodging in his house on the night when the crime was supposed to have been committed, and could not possibly have been present. Immediately after he had given this evidence a clergyman who was the chief manager of the trial rose and informed the court that Keating

[1] O'Leary afterwards said that there was a report that Bridge had been seen in Newfoundland, but he is careful to add that he cannot vouch for this being the case (O'Leary's *Works*, p. 282); and a letter written by Sheehy to Major Sirr the night before the execution (which Madden believes to be certainly genuine) confesses that Bridge had been murdered, and that Sheehy knew the fact, though probably only by the confessional. He protests very earnestly his innocence, but says, 'the accusers and the accused are equally ignorant of the fact, as I have been informed, but after such a manner I received the information that I cannot make use of it for my own preservation; the fact is that John Bridge was destroyed by two alone, who strangled him on Wednesday night, October 24, 1764. I was then from home, and only returned home the 28th, and heard that he had disappeared.'—Madden's *United Irishman*. (2nd series, *Introduction*, xlix.)

had been engaged in a Whiteboy affray in which two soldiers had been killed. The effect of such a proceeding at such a moment may be easily imagined. Keating was at once carried away to Kilkenny gaol. His evidence was utterly discredited, and several witnesses who had come to give evidence for the prisoner were so intimidated that they left the court. Keating was afterwards tried at Kilkenny, chiefly on the evidence of the same witnesses who gave testimony against Sheehy, and he was honourably acquitted, but before that time Sheehy was in his grave. The unhappy priest was found guilty, hanged, and quartered. With his last breath on the scaffold he protested his absolute innocence of the charge for which he suffered.

He may not have been altogether the innocent martyr that he has been represented, but there can be little doubt that his trial was infamously partial, and it is probable that he was wholly guiltless of the murder of Bridge. The circumstances of the trial, and the fact that Sheehy alone of the Whiteboy victims was in holy orders, left a deep and lasting resentment in the popular mind. The grave of Sheehy was honoured like that of a saint. A Sheehy jury became a proverbial expression in Ireland for scandalous partiality. Stories were collected and believed of how all the chief persons connected with the tragedy came to some unhappy end, and the executioner of Sheehy was, some years later, murdered in a fierce popular outbreak.[1]

While the Whiteboy disturbances were spreading widely among the Catholic peasantry of Munster and part of Leinster, other disorders, which seemed at first scarcely less serious, broke out among the Protestants of the North. The Oakboys appear to have first risen against the Road Act, which ordered that all highways should be repaired by the personal labour of the housekeepers. It was stated that the landed proprietors, who

[1] The fullest contemporary accounts of this case are to be found in Exshaw's *Magazine*, June 1776; in Curry's *State of the Catholics*; and in *An Inquiry into the Causes of the late Riots in Munster*, published anonymously by Curry in 1766. Mr. Madden (*United Irishman*, 2nd series, *Introduction*) has taken great pains to collect all the extant evidence relating to the case. A year after the execution of Sheehy some informers at Kilkenny who asserted that the Whiteboy movement was a plot for the Pretender, originated chiefly by the Archbishop of Cashel, paid for by the French King and sanctioned by a Papal Bull, described Sheehy as one of the chief accomplices. As I have already mentioned, however, the Government never attached the smallest credence to these depositions (which will be found in Musgrave), and none of the persons accused were brought to trial.

constituted the grand juries, had many roads made which were of little or no use to the community at large, and were intended for the exclusive benefit of their own estates, and that they threw the chief burden of making and repairing these roads on the poorer ratepayers. In addition to this grievance, the question of tithes had recently acquired in the north, as well as in the south, a new prominence. It was acknowledged that tithes were much lighter in the north of Ireland than in the south, and that the customary rate was considerably below the strict legal rate, but some clergymen had recently endeavoured to break down the custom of the country. Dr. Clarke, the rector of Armagh, appears to have been the first to try the experiment, and he discovered that it was possible by a stricter exaction of tithes to raise his ecclesiastical revenue from 900*l.* to 1,300*l.* a year. The example was followed by others, and it was justified on the ground that the price of living had so largely increased that a curate with 40*l.* a year in the beginning of the reign of George II. was at least as well off as a curate with 80*l.* a year in the beginning of the reign of George III.[1] Tithes had long been paid with much reluctance in Ulster, and the clergy had often, without any actual violence, been grossly defrauded of their rights. Thus it frequently happened that the farmers of a large and scattered parish, though they cut their corn at different times, agreed to give notice to the clergyman that they would all draw it on the same day; and as they refused to furnish him with any horses to secure his share he was obliged either to leave it on the field, where it was sure to be wasted, spoiled, or stolen, or to compound for his tithes at perhaps a fourth part of the value.[2]

It was in the summer of 1763 that bodies of men, sometimes 400 or 500 strong, assembled to the sound of a horn, wearing oak boughs in their hats. They erected gallows, attacked houses, compelled clergymen to swear that they would not levy more than a specified proportion of tithe, and laymen that they would not assess the county at more than a stipulated rate, entered into an engagement to make no more high roads, and assaulted all whom they found working on the roads. Dr.

[1] Caldwell's *Debates* (1763-1764), pp. 68-69.

[2] See the curious speech of Andrews, M.P. for Londonderry.—Caldwell, pp. 78-79.

Clarke was seized and carried in derision through various parts of the country, and many of the clergy were compelled to take refuge within the walls of Derry.[1] The flame spread rapidly through Armagh, Tyrone, Derry, and Fermanagh; but no very serious crimes were committed, and the Protestant rising of the north was wholly free from the atrocious cruelty which disgraced the Catholic insurgents of the south. It arose among a people who were much less wretched and much less ignorant. Their tithes, even at the worst, were more moderate than in Munster, and the Protestants were not, like the Catholics, deprived of all legitimate means of expressing their will. The Government appear to have acted with great wisdom and moderation, and a letter of Primate Stone is preserved which is exceedingly honourable to that much-abused prelate, and shows his great desire to limit as much as possible the severities that were necessary.[2] Charlemont, as Governor of Armagh, took an active and successful part in restoring tranquillity in his county. The whole movement was suppressed with very little bloodshed, and a new and more equitable Road Act restored in a few months peace to the north.[3]

Another and more formidable, though less extensive, outbreak occurred about eight years later in the counties of Antrim and Down, and was mainly due to the oppression of a single man. The Marquis of Donegal was one of the largest proprietors in the north of Ireland. He was an absentee, and when his leases fell in, instead of adopting the usual plan of renewing them at a moderate increase of rent, he determined to raise a sum which was stated at no less than 100,000*l.* in fines upon his tenants, and as they were utterly unable to pay them, two or three rich merchants of Belfast were preferred to them. The improvements were confiscated, the land was turned into pasture, and the whole population of a vast district were driven from their homes.[4] This case, though the most flagrant,

[1] Caldwell, p. 82. That very excellent and able man, Philip Skelton, who was rector of a parish near Enniskillen, was one of the many clergymen who were compelled by the Oakboys to fly from their parishes. He took refuge in Dublin.—Burdy's *Life of Skelton*, pp. lxxxix.-xc.

[2] Hardy's *Charlemont*, i. 190-191.

[3] Hardy's *Charlemont*, i. 185-192; Crawford's *History of Ireland*, ii, 319 321; Arthur Young's *Tour; Account of the Progress of Charles Coote, Esq., in Pursuing and Defeating the Oakboys in the Counties of Monaghan and Fermanagh* (Dublin, 1763).

[4] Report of Captain Erskine (of Lord Drogheda's Light Dragoons,

was by no means the only one, and on several estates in the north, during the last ten or fifteen years, rents had been increased to such a point that the tenants were unable to pay them. They alleged that it was a frequent custom for landlords, when leases fell in, to 'publish in newspapers or otherwise that such a parcel of land is to be set, and that proposals in writing will be received for it. By this means they invite every covetous, envious, and malicious person to offer for his neighbour's possessions and improvements. The trembling tenant, well knowing that he must be the highest bidder or turn out (he knows not whither), is under an unavoidable necessity of offering more than the value, because the doing so is become a general practice.' They complained that they were reduced to extreme poverty and distress by the over-setting of their lands, that some who refused to pay extravagant rents were ejected and replaced by 'Papists who will promise any rent,' that the county taxes had been lately increased to an intolerable degree, and had been notoriously 'applied to private purposes,' and that 'many of the greatest landlords who do these things are absentees, as are also many of the clergy who levy the tithes.' [1]

These statements were perfectly true.[2] It is certain that

quartered at Dungannon), April 10, 1772. Captain Erskine says: 'Should the causes of the present riots be looked into, it will be found that few have had juster foundation.' Lord Townshend sent this report to the Government in England as the work of 'a very cool, dispassionate, sensible man, without prejudices or partialities.' It is corroborated by Wesley's *Journal*, June 1773. See, too, Walpole's *Last Journals*, i. p. 75. A recent attempt to defend or palliate the conduct of Lord Donegal has been made in Mr. Benn's valuable *History of Belfast*, pp. 611–620. Mr. Benn states on the authority of Lord Donegal's present agent, that the sum Erskine stated to have been paid in fines (100,000*l.*), was a gross exaggeration, and that the fines exacted did not really amount to 20,000*l.*, but he admits that the rent of arable land near Belfast was raised from 2*s.* 6*d.* to 8*s.* an acre. Arthur Young thought that the case against Lord Donegal was exaggerated or untrue, and that the main cause of the distress was the depression of the linen trade. —*Tour in Ireland*, ii. 131.

[1] Petition of the Hearts of Steel. Humble Remonstrance of the Protestants of the Northern Parts of the Kingdom of Ireland, signed by 'A Protestant Draper.'—Record Office.

[2] The Presbytery of Temple Patrick published at Belfast in January 1774 an address to their people, urging them to desist from outrages; but they at the same time 'lament the heavy oppression that too many are under, from the excessive price of lands, and the unfriendly practice of many who contribute to that oppression by proposing for their neighbour's possessions, by which means they are too often deprived of the improvements made by their forefathers and themselves.' Lord Townshend said these lines gave a true account of the origin of the disturbances. —Record Office.

the competition for land, aggravated by the inveterate habit of subletting, had reduced a great part of Ulster to intolerable misery. Improvements to which tenants had a strong equitable claim were remorselessly confiscated; and grand juries, which are now among the purest and most efficient branches of Irish administration, were at that time, and in Ulster at least, exceedingly corrupt. Townshend, who was then Lord Lieutenant, described 'the very high price which gentlemen put upon their lands, and, of course, the great oppression which the lower order of people labour under in those parts as the probable cause of the present discontent.' 'The truth,' he says, 'is, neither the laws nor provincial justice are administered here as in England. Neither the quarter sessions nor grand juries give the county the same speedy relief or maintain the like respect as with us. The chief object of the grand juries is to dispose of the county cesses as best suits their party views and private convenience. The sums raised by these gentlemen throughout the kingdom do not amount to less than 130,000*l.* per annum, which is levied upon the tenantry, the lower classes of whom are in a state of poverty not to be described.'[1]

The conduct of Lord Donegal brought the misery of the Ulster peasantry to a climax, and in a short time many thousands of ejected tenants, banded together under the name of Steelboys, were in arms. They were mainly, at first almost exclusively, Presbyterians.[2] Their distress was much greater than that of the Oakboys, who preceded them, and, as is usually the case, their violence was proportioned to their distress. They destroyed or maimed great numbers of cattle. They attacked many houses, and were guilty of many kinds of violence, and they soon administered illegal oaths, and undertook

[1] *Townshend to Rockford*, March 18, 1772, Record Office. Captain Erskine says: 'It is well known that over most parts of the county the lands are subset six deep, so that those who actually labour it are squeezed to the very utmost. It is equally notorious what use is made by grand juries of the powers given them to levy cess for making roads and bridges. Jobs upon jobs, the one more infamous than another, serve to support the interest of some leading men in the country.' —Ibid.

[2] In the very remarkable petition which the Steelboys drew up recounting their grievances, they describe themselves as 'all Protestants and Protestant dissenters.' Lord Townshend, however, says that Papists and men of all professions except Quakers soon joined them. — *Townshend to Rockford*, March 18, 1772.

the part of general reformers. One of their number being confined at Belfast, a large body of Steelboys, accompanied by many thousands of peasants, who neither before nor after took any part in the insurrection, marched upon that town and succeeded in obtaining his surrender. Large bodies of soldiers were soon sent to the disturbed districts, and several Steelboys were tried at Carrickfergus, but by the supposed partiality of the juries they were acquitted. The Parliament then passed an Act authorising the removal of the trials from the disturbed counties to the city or county of Dublin, and some rioters were accordingly tried at Dublin, but the feeling against the new law was so strong that they were acquitted. In December 1773, Parliament retraced its steps and repealed the obnoxious Act. From this time the insurrection speedily subsided, and after some fierce conflicts with the soldiers many insurgents were taken, tried, and executed.

The complete subsidence of this formidable insurrection in the north forms a remarkable contrast to the persistence with which the Whiteboy disturbances in the south continued to smoulder during many generations. It is to be largely attributed to the great Protestant emigration which had long been taking place in Ulster. The way had been opened, and the ejected tenantry who formed the Steelboy bands and who escaped the sword and the gallows, fled by thousands to America. They were soon heard of again. In a few years the cloud of civil war which was already gathering over the colonies burst, and the ejected tenants of Lord Donegal formed a large part of the revolutionary armies which severed the New World from the British Crown.[1]

While these events were occurring in some of the counties most remote from the capital, a strong political life was arising in the chief centres of population, and beginning to show itself clearly in the debates of Parliament. The growth of a middle class, the evanescence of the old passions of civil war, the great decline of religious intolerance, and the sudden rise of a free press, conspired to stimulate it. The political passions roused by the struggle of 1753 had not wholly subsided, and the dis-

[1] Gordon, Plowden, Crawford, Mullala. Benn's *History of Belfast*, *Gentleman's Magazine*, 1772, pp. 454–461. 1773, p. 467.

solution which followed the accession of George III. introduced a new element into Irish politics.

It was scarcely possible, indeed, that the contagion of English liberty should not have spread to Ireland, and that such a political condition as I have described in a former chapter should not have appeared intolerable to those Irishmen who derived their notions of freedom from the English Constitution. The Parliament, as we have seen, lasted an entire reign, and that of George II. had sat for thirty-three years. About two-thirds of the revenue of the country, including the quit-rents, the hearth-money, and the greater part of the customs and excise, was included in the Hereditary Revenue which had been settled in perpetuity and was therefore beyond the control of Parliament.[1] Parliament only sat every second year, and could only legislate in combination with two other bodies, deliberating in secret, and appointed by the Crown. Heads of Bills arising in either House first passed to the Irish Privy Council, which might either suppress them altogether, or alter them as it pleased. If this body thought fit to throw them into the form of a Bill, it at once transmitted that Bill to England, where it was submitted to the examination of a committee of the English Privy Council, assisted by the English Attorney-General, and this body, like the Irish Privy Council, had an unlimited power of suppressing or altering it. If the Bill passed through this second ordeal it was returned with such changes, additions, and diminutions as the two Privy Councils had made, to the House of Parliament in which it took its rise, and it then passed for the first time to the other House. Neither House, however, had now the power of altering it, and they were therefore reduced to the alternative of rejecting it altogether, or accepting it in the exact form in which it had been returned from England.[2] The British Legislature claimed the right of binding Ireland by its acts. The judges only held their seats during pleasure. The right of supreme and final judicature in Irish cases had been taken from the Irish House of Lords and transferred to that of England. There was no Habeas Corpus Act, no national militia, no Irish Mutiny Act, no Act

[1] See vol. ii. p. 223–224.

[2] See Howard, *On the Revenue of Ireland*, ii. 233–235.

obliging members of Parliament who accepted places or pensions under the Crown to vacate their seats.

Such a state of things could hardly fail in settled times to rouse a spirit of resistance among the Irish Protestants. It appeared tolerable only while the country was still heaving in the convulsions of civil war, while property was utterly insecure, and while the religious conflict was at its height. The grievance was by no means a merely speculative one. The suppression by law of the most important manufactures of Ireland, the ruinous restrictions imposed on Irish commerce, the systematic appointment of Englishmen to nearly all the highest and most lucrative posts in the ecclesiastical, legal, and political establishments, the employment of the Irish Pension List to reward persons who had done no kind of service to Ireland, were all largely, if not entirely, due to the small power which the Irish gentry had in the government of their country. An active press had lately arisen, and there were already several able men, both in Parliament and beyond its pale, who, following in the steps of Molyneux, aspired to make the Irish Parliament in Irish affairs what the English Parliament was in English ones, and to secure for the Irish Protestants all those constitutional rights which the Revolution of 1688 had established in England, and of which the English people were so justly proud. Rigby, who took a leading part in Irish affairs during the administration of the Duke of Bedford, noticed in the beginning of 1760 the general unwillingness to acknowledge the dependence of the Irish on the British Legislature, and the growing, though as yet vague, discontent which was abroad. There was not, he thought, any settled plan for asserting legislative independence, 'but to be uneasy in their present state, and to express among themselves this uneasiness is the turn and fashion of the upper sort of the people, and is caught from them downwards;' and he found it as common among Protestants as among Catholics.[1] 'People of all ranks,' wrote the Lords Justices from Dublin, immediately after the accession of George III., 'here, as well as in other places, are more curious and inquisitive into business than they were formerly, and more prepared to take advantage of inaccuracies either of substance or form,'

[1] Bedford's *Correspondence*, ii. xxix.

d they complained on the eve of the election that the practice exacting new tests from the representatives 'has been early ; on foot, and is daily spreading itself in all parts.'[1] 'ormerly,' wrote the Irish Chancellor Bowes to a prominent glish politician, 'Protestant or Papist were the key words; ey are now court or country, referring still to constitutional evances.' 'They have considered your House as the model, l in general think themselves injured in the instances in ich theirs, upon the legal constitution, must differ.'[2]

The system of government by Undertakers, or in other words, a few great personages who possessed an extraordinary parliamentary influence, and who 'undertook' to carry the King's iness through Parliament on condition of obtaining a large re of the disposal of patronage, still continued. Lord nnon and Primate Stone were now cordially united, and g steadily supported by Ponsonby, the Speaker of the House Commons, and usually by Lord Kildare, they had acquired a plete ascendency in the Irish parliament and Privy Council. influence of Lord Shannon had been greatly increased by conflict of 1753, for, though he had been driven from power the Duke of Dorset, he regained in the succeeding Vicelty all that he had lost, and the Government purchased his tance by an earldom and a large pension. There was a eral conviction that, though he might be for a time dised, every Administration would be eventually obliged to rt to his assistance, and the fidelity to his friends,[3] which the best point in his character, secured him a large and ly following. In conjunction with Stone and Ponsonby, as Lord Justice at the accession of George III.

The power of the Undertakers was largely, though not usively, due to the fact that the Lord Lieutenant only led in the country for six months in two years, while iament was sitting, and that the chief efficient power had d in consequence to the Lords Justices, who governed in bsence. In England the royal influence was supposed to

[1] Representation of the Lords Justices (Stone, Shannon, and Ponsonby), printed in Gerard Hamilton's *Works*, pp. 4, 130.

[2] Bowes to Dodington. Adolphus' *History of England*, i. p. 592.

[3] Barrow's *Life and Writings of Lord Macartney*, ii. 129.

be most strong at the time when Parliament was in vacation. In Ireland it was noticed that it was precisely at this period that aristocratic influence attained its height, for in the absence of the Lord Lieutenant the administration of affairs was wholly in the hands of a few great men who were virtually the leaders of the House of Commons.[1] At the same time the power of the Undertakers was less absolute than has been imagined, and it is, I think, a complete misconception to regard them as a peculiar product of Irish politics. The great Irish families only reproduced on a smaller scale the political ascendency which the Pelhams and a few other families had obtained in England during the comparative eclipse of the royal authority which followed the accession of the House of Hanover. Even the term 'Undertakers' was not unfrequently employed in England to designate the great Whig families, and the position of Lord Shannon in the one country was not very unlike that of Newcastle in the other. In each country family relationships and connections, the acquisition of much borough influence, and a considerable dexterity in party management, had enabled a few men to make themselves the necessary channel of the favours of the Crown. In each case this oligarchical connection was unpopular with the people on account of its narrowness and corruption, while it became a great object of the Crown to dissolve it as one of the chief limitations of royal power. In each case the oligarchical leaders were thrown into temporary alliance with the people, and in each case more corruption was employed to overturn their ascendency than had ever been required to maintain it.

It is of course true that the distinctive evils of the Undertakers were greater in Ireland than they had ever been in England. In a Parliament in which at least two-thirds of the seats consisted of small boroughs at the disposal of a very few individuals; in a country in which the great majority of the population were absolutely excluded from political privileges, there was necessarily a concentration of political power, and an absence of political control that had never, in the worst times, been equalled in England. Yet at the same time the

[1] Knox's *Semi-Official Papers*. Appendix No. 1.

government by Undertakers was by no means without its advantages, and the period in which it flourished is very far from being the worst in Irish history. In a country situated like Ireland, it was no small matter that two out of the three Lords Justices who usually governed should be Irishmen, and should be able to fill a large proportion of the subordinate places of power and profit with followers who were at least natives of the soil. The formation of a connected influence in the Irish Parliament binding many isolated and individual interests into a coherent and powerful organisation, was a real step towards parliamentary government, and it was probably very conducive to the good relations between the two countries that there should be something between the purely Irish party who wished to overthrow all English parliamentary ascendency, and the English ministers who only cared for English party interests and for English public opinion. The government by Undertakers was government by an extremely small oligarchy, but it was at least a government by resident Irish gentlemen who possessed that first requisite of successful administration—a thorough knowledge of the very peculiar condition of their country and of the very peculiar character of its people. A purely aristocratic government has many faults, but it at least saves a nation from the two greatest calamities that can befall it—from government by fanatics and experimentalists, and from government by gamblers and adventurers. Ireland under the Undertakers enjoyed many years of almost uninterrupted peace. The whole military establishment was only 12,000 men, and there was then no semi-military constabulary force to assist it. Yet in every period of war or threatened war it was found possible to withdraw a great portion of the army from Ireland for the general defence of the Empire. However the fact may be explained, it is evident that there was no serious or general disaffection. There was no doubt much corruption, but it is not clear that there was more than in England; and when it is remembered that members of Parliament held their seats for a whole reign, and were therefore practically uncontrolled by their constituents, it appears to me somewhat surprising that it was not even greater. It is, at all events, certain that the great period of political corruption in Ireland was not the

period of the Undertakers but that which immediately followed their overthrow.

The chief reproach that was directed against the Irish Parliament of this time was its excessive expenditure in public works, such as inland navigation, collieries, bounties to manufactures, and the frequency with which these grants were due to private and often corrupt motives. This profusion was partly owing to the failure of the Parliament of 1753 to assert its authority over the surplus which had accumulated, which made succeeding Parliaments determine that no such surplus should again accrue.[1] It was stated in the Irish Parliament that in the two sessions before 1753, 400*l.* in each session was thought a sufficient bounty for public works, but that in the succeeding ten years not less than 400,000*l.* had been voted for such purposes.[2] During the four succeeding years the grants continued to increase. There was also, it is said, a strong desire so to burden the hereditary revenue, that it should never again be sufficient to enable the Sovereign to govern without the assistance of Parliament. This end was effectually attained by the practice of voting bounties or other charges without imposing any specific taxes for paying them, thus throwing them upon the revenue at large. The most flagrant instance of this procedure was the very strange tillage law which was carried under the Duke of Bedford, granting in perpetuity a bounty for the carriage of corn to Dublin. Its principle was to bring the Dublin market to the farmer's door by paying the carriage at the public expense, and in a few years the bounty amounted to no less than 50,000*l.* a year. The conduct of Bedford, in advising the Government of George II. to assent to the imposition of this heavy and perpetual burden upon the hereditary revenue, was regarded in the succeeding reign as the worst instance in Irish history of the surrender of the power and influence of the Crown.[3] The numerous minor and casual Acts, giving assistance from public funds to canals, bridges, mills, piers, or other public works, appear, according to much concurrent testimony, to have caused a great deal of political corruption. Political partisans were

[1] See Lord Clare's *Speech on the Union*, p. 28.

[2] Caldwell's *Debates*, p. 377.

[3] Barrow's *Life and Writings of Lord Macartney*, ii. 138–139. Gordon's *History of Ireland*, ii. 235.

greatly favoured; sometimes the grants were not even applied to the purposes for which they were designated, and it was partly by such subsidies that the Undertakers kept their party together.[1] At the same time, it is an unquestionable fact that the expenditure of the Irish Government was much more moderate, and the state of the finances much more satisfactory under the Undertakers than in the period that immediately followed. At the beginning of the last war Ireland had no foreign debt, and no new duties had been imposed upon the kingdom in the whole period between 1727 and 1763.[2]

Immediately after the accession of George III. an angry controversy broke out between the Irish Lords Justices and Privy Council on the one side, and the English Privy Council on the other, about the propriety of sending a Money Bill to England as a reason for calling the new Parliament. In order to explain the nature of this question it will be necessary to recapitulate very shortly a few facts in the earlier constitutional history of Ireland.

The dependence of the Irish Parliament rested chiefly on the well-known Act of Henry VII., called Poynings' Law, which was enacted by a Parliament summoned at Drogheda in 1495 by the English deputy, Sir Edward Poynings, for the purpose of restraining the Yorkist tendencies of the Anglo-Irish colonists. One portion of this famous Act made those laws, which previous to this date had been enacted in England, binding in Ireland. The other, with which we are now especially concerned, provided that all the 'causes and considerations' for calling a Parliament in Ireland, and all the Bills which were to be brought forward during its Session, must be previously

[1] See Lord Clare's speech on the Union, p. 28. Knox's *Extra Official Papers*, Bedford's *Correspondence*, iii. 322, and the abstracts of the letters of Sir J. Caldwell in the *Lansdowne Papers*, British Museum, Add. MSS., 24, 137. A detailed report of the sums voted for public works from 1751 to 1767 will be found in the Commons' *Journals*, xiv. 540–552. Much the greater part seems to have been expended on inland navigation, and the grants do not appear on the face of them either excessive or misapplied. At one time special grants were given to particular manufacturers, and this, as might be expected, gave rise to great jobbing; but the House of Commons, in 1763, resolved that no more such grants should be given, though a sum of 8,000*l.* or 10,000*l.* was usually voted to the Dublin Society to be expended in premiums. See Caldwell's *Debates*, 303–307, 437–442, 521.

[2] Ibid. p. 537. Crawford's *History of Ireland*, ii. 330. Barrow's *Life and Writings of Lord Macartney*, ii. 127.

certified to the King by the chief Governor and Council of Ireland, and affirmed by the King and his Council under the Great Seal of England, and that any proceedings of an Irish Parliament which had not been so certified and affirmed before that Parliament was assembled, should be null and void. By an Act of Philip and Mary this arrangement was slightly modified, for the Irish Privy Council was empowered to send over proposed Bills for the approbation of the English Privy Council at a time when the Irish Parliament was actually in Session.

In this manner the Irish Parliament was absolutely precluded from originating any legislative measures, and its sole power was that of accepting or rejecting such measures as were laid before it under the sanction of the Great Seal of England. Gradually, however, and rather by custom than by express enactment, the power of legislative initiative was restored to it. Under Charles I. the Irish Houses of Parliament took upon them to be 'humble remembrancers' to the Irish Privy Council of what Bills it was proper to certify to England. This proceeding appears to have at first taken the form of an address to the Lord Lieutenant and Council containing a general proposition for a Bill, but soon the custom began of either House framing, not, indeed, Bills, which would be contrary to Poynings' Act, but 'heads of Bills,' which passed from it to the Privy Council, and thence, if approved of, to England. These heads of Bills precisely resembled Acts of Parliament except that they began with the formulary 'We pray that it may be enacted,' instead of the formulary 'Be it enacted.' The origination of Bills in the Privy Council became rarer and rarer, and it at last wholly ceased, except in the single case of the summoning of a new Parliament. In accordance with Poynings' Act, two or more Bills were then sent over to England as a cause for summoning a new Parliament, and it was customary that one of these Bills should be a Bill of Supply.[1]

The right of the Privy Council to originate on this occasion ordinary Bills was generally acquiesced in, but the Bill of Supply was looked upon with extreme jealousy, and was some

[1] See *Plain Reasons for Remodelling Poynings' Law*, Dublin, 1780. Lord Mountmorres' *History of the Irish Parliament*, i. 48–59, ii. 142. Howard on the *Irish Revenue*, ii. 238–236.

times angrily rejected by Parliament. The distinction made in Ireland between Supply Bills and other Bills was the same as that which was subsequently made in America and in the speeches of Chatham. A Money Bill, it was said, is by the theory of the Constitution a free grant made by the Commons to the Sovereign, and it is therefore plainly unconstitutional that it should take its rise in a body which is neither virtually nor professedly representative. On the accession of George III., the Lords Justices, speaking in their own name and in that of the Privy Council, contended, in a very able and elaborate representation, that this custom of sending over a Money Bill as a cause for summoning a Parliament was inexpedient and ought to be abandoned. They stated that such a Bill would be surely rejected in Parliament, and that in the existing condition of men's minds it would create a ferment at the beginning of the new reign which would speedily be diffused through the whole kingdom. Anthony Malone, the Chancellor of the Exchequer, strenuously supported this view; but the great influence of Lord Kildare was thrown into the opposite scale. The English Privy Council refused to depart from the former precedents, and the Irish Lords Justices at once asked to be relieved of their functions. It is remarkable that Pitt in this contest separated from his colleagues, and defended the Irish Commons.[1]

After considerable discussion, the Lords Justices consented to certify and to support the Bill, and it was carried without difficulty through Parliament. The Government marked their victory by dismissing Malone from the Chancellorship of the Exchequer, and by bestowing a marquisate on the Earl of Kildare.[2]

The election, which took place on the accession of George III., excited an interest that had been for many generations unequalled in Ireland. The long period which had elapsed since a new Parliament had assembled, the great changes that had taken place in the social and political condition of the country, the new prominence the middle class had obtained, and the rise of an active political press, conspired to give it an extraordinary

[1] Walpole's *George III.*, i. 31.

[2] Hamilton's *Works*, p. 105–160; Adolphus, i. 161–162; Barrow's *Life and Writings of Lord Macartney*, ii. 141.

significance. There were public meetings, resolutions of corporate bodies, and, above all, stringent tests imposed upon candidates. The Irish people were, as a whole, undoubtedly greatly inferior to the English in political knowledge and capacity; but this inferiority hardly extended to the open constituencies, for the electors were drawn from a small ascendant caste who formed a kind of aristocracy in the nation. Ireland, which was already represented in the English Parliament by Barré, and a very few years later by Burke, had reserved for her own Parliament no small amount of political ability. Sir J. Caldwell, who was one of the most intelligent members of the first Irish Parliament of George III., was so struck with the high character of the debates, that he published reports of those which took place in 1763 and 1764, which appear to me in debating power and solid good sense to compare not at all unfavourably with the English parliamentary debates of the same period.[1] A study of the ephemeral political literature will, I think, confirm this impression of the large amount of political ability existing in the country. The 'Querist' of Berkeley, independently of its great intrinsic merits, had been extremely useful in Ireland as a model of political discussion. It made it the fashion to condense the essential arguments in politics into the simplest, shortest, and most unrhetorical form. It was imitated by many writers, and several of the political pamphlets of the first twenty years of George III. are models of weighty and luminous discussion. Unfortunately, the letters of Junius introduced a new fashion, and the terse and simple style of Berkeley and Swift was too commonly exchanged for the sonorous generalities, the laboured declamations, the unmeasured invective of Baritariana.

The Parliament was, of course, mainly a Parliament of landlords, and the immense multiplication of nomination boroughs had placed the controlling power in a few hands. Property was largely, perhaps extravagantly, represented;[2] but the debating power of the Irish House of Commons was chiefly

[1] *Debates relating to the Affairs of Ireland in* 1763 *to* 1764, by a Military Officer. See on Caldwell, *Almon's Biographical Anecdotes*, i. 120–181. Sir James Caldwell also reported some debates in the English Parliament in 1762, which are printed in the Cavendish *Debates*, i. 561–575.

[2] I cannot, however, believe the statement made by the Chancellor Bowes in a letter to Dodington. 'Probably their representatives [those

due to the very unusual number of lawyers who sat in it.[1] Anthony Malone, who had long been the foremost man in the profession, was now in the decline of life, and although his quarrel with the Government was soon terminated, he does not appear to have taken a very conspicuous part under George III. The foremost place in the Government ranks was conceded to Hely Hutchinson, the Prime Sergeant, an inveterate place-hunter, but a man of brilliant and versatile ability, and at the same time of great political tact and moderation. In spite of his general support of the Government he voted for many of the popular measures, such as free trade, the claim of right, the abrogation of a large part of the penal laws, and the reform of Parliament, and his influence on other questions appears to have been usually employed to moderate and assuage.[2] He is one of the very earliest politicians in the three kingdoms who show clear traces of the influence of Adam Smith, and he wrote a work on the commercial disabilities of Ireland, which

of Ireland] in Parliament have been possessed of more property than yours in Great Britain, in proportion to numbers, without taking in the disproportion of wealth in the two kingdoms.' This is of a piece with his other extraordinary assertion, that since the Hanover succession 'Ireland has been the most flourishing state in Europe!'—Adolphus, i. 592.

[1] 'We have in the House of Commons of this our new Parliament more of that considerable and learned body of the long robe than any man now living can remember; nay, more than appears in any journals or any history extant in this or any other kingdom upon earth; and several of them of superior abilities, great eminence in their profession, and of noted honour and integrity.'—*Queries relative to the Defects and Grievances in the Laws of Ireland* (Dublin, 1761), p. 30. In a pamphlet published during the next Parliament, it was said that there were then more than eighty lawyers in the Irish House of Commons.—*Present State of Ireland* (London, 1780), p. 121.

[2] Gerard Hamilton, who long co-operated with Hutchinson, said of him that 'Ireland never bred a more able, nor any country a more honest man' (Grenville *Papers*, iv. 110). Townshend considered him 'by far the most powerful man in Parliament, of great abilities to conduct a debate,' and added that he 'holds but little that is dependent upon Government, has great profits from his profession, and is most essential to Government.'—Townshend to Shelburne, December 12, 1767. (Record Office). Harcourt described him as 'a man of an excellent private character . . . of first-rate abilities, great knowledge, learning, and experience' (Harcourt to Rochford, June 19, 1774). He is, however, better remembered by the witticism of North, that 'if you were to give him the whole of Great Britain and Ireland for an estate, he would ask the Isle of Man for a potato garden,' and Fox described him, with some exaggeration, as one of Ireland's 'most eminent jobbers, who after having obtained the Prime Serjeantcy, the Secretaryship of State, and twenty other great places, insisted upon the Lord Lieutenant's adding a major's half-pay to the rest of his emoluments.'—Grattan's *Life*, iii. p. 112. Barré also formed a very unfavourable estimate of him.—Fitzmaurice's *Life of Shelburne*, ii. 113–114.

is one of the best specimens of political literature produced in Ireland in the latter half of the eighteenth century.[1] He is said to have greatly raised the standard of debate, and to have been a master of polished sarcasm; but he was not a consistent and certainly not a disinterested politician. In general, however, the lawyers were exceedingly independent of the Government. The profession was at this time unusually flourishing in Ireland. The incomes made at the bar were, perhaps absolutely, certainly relatively to the cost of living, much greater than at present.[2] The most conspicuous barristers nearly always found their way into Parliament, and their presence was particularly valuable on account of the great prominence which questions of constitutional law speedily attained. With the exception of the Chief Justiceship of the King's Bench, which was so inadequately remunerated that it was scarcely an object to a great lawyer, the highest posts in the law were monopolised by Englishmen, and this fact was not without its influence upon the politics of the Irish Bar.[3] Henry Flood, the son of a Chief Justice of the King's Bench, and a gentleman of large fortune and considerable political connection, was the most popular and powerful speaker of the small

[1] The *Wealth of Nations* is quoted, and some of its principles are adopted both in the *Commercial Restraints of Ireland*, published in 1779, and in a very remarkable memorandum on the state of Ireland sent to the Government by Hely Hutchinson in the June of the same year, which is in MS. in the Record Office. *The Wealth of Nations* was only published in 1776. It is said first to have been mentioned in the British Parliament in 1783. See a curious note on the growing influence of Adam Smith in Buckle's *History of Civilisation*, i. 195.

[2] Malone, at a very early period of his career at the Bar, attained a professional income of 3,000 guineas a year (Grattan's *Life*, i. 62), and a generation later Fitzgibbon, in five and a half years, made 36,939*l.* (O'Flanagan's *Lives of the Irish Chancellors*, ii. 162.) I have been told that in the last thirty years very few men at the Irish Bar have made more than 3,000*l.* per annum. 'In all poor countries,' Shelburne said, 'the people are litigious, but in Ireland the several laws of settlement and the Popery laws have left the country scarcely a habit of anything else, and law is in all respects more expensive, more confused, and more prolific in Ireland than in England.'—Fitzmaurice's *Life of Shelburne*, ii. 375.

[3] The salary of Chief Justice of the King's Bench in Ireland, Townshend said, was at least 500*l.* or 600*l.* a year lower than that of the Chief Justice of Common Pleas, 'for which reason, though it [the former] is usually given to a gentleman of this country, it seldom becomes an object for any person high in business to look up to, which, considering that the lawyers of eminence here are always in Parliament, may often become troublesome, if not prejudicial, to His Majesty's affairs. . . . . I have great reason to believe this office is not at present worth more than 1,400*l.* per annum.' December 20, 1767. Townshend to Shelburne, Record Office. The salaries of the judges were, as we shall see, afterwards raised.

party known as patriots, and he was very ably seconded by Sir William Osborne, a country gentleman, whose excellent conduct towards his tenants has been commemorated by Arthur Young. Lucas had returned to Ireland after his long exile on a *noli prosequi*, and sat for Dublin; but he had no parliamentary ability or success. Gerard Hamilton, so well known in England as Single-Speech Hamilton, was Secretary to Lord Halifax and to Lord Northumberland, the two first Viceroys of George III., and his eloquence, which on one memorable occasion had electrified the English House of Commons, was more than once heard with extraordinary effect in the Irish Parliament.

The first seven years, however, of the reign of George III. were singularly uneventful in Ireland. The Undertakers still co-operated cordially with the Castle, and public affairs under Halifax, Northumberland, Hertford, and Bristol moved on very smoothly. During the Viceroyalty of Halifax the Spanish declaration of war placed England in enmity with the two branches of the House of Bourbon, and her resources seemed strained to the utmost limits of endurance. She had already one army in Germany and another in America. At least 20,000 English troops were protecting her dominions in the East and West Indies, in Africa, and at Gibraltar, and 5,000 men were stationed at Belleisle. Her fleet, besides the protection of her own coast and of her innumerable merchant vessels, was scattered over the East and West Indies and in the Mediterranean, and she was at war with two great Roman Catholic powers, in whose armies thousands of Irishmen had served during the last eighty years. Had there been any serious disloyalty in the country such circumstances could hardly have failed to elicit it; but absolutely no sign of disloyalty was shown, and Ireland to the utmost of her small abilities supported England in the struggle. The Irish Parliament at once voted a war credit of 500,000*l.*, and augmented the establishment by five battalions. Gerard Hamilton described it as 'the most willing House of Commons that ever sat.'[1] Halifax, in a private letter, said that he had found 'the happiest and most perfect unanimity which

[1] Hamilton's *Works*, p. 167.

has ever been known in this Parliament,'[1] and not the smallest disposition to embarrass the Government in this moment of difficulty and danger was shown in any quarter in Ireland. The Whiteboy movement disturbed Munster and part of Leinster, but it was entirely unconnected with political disaffection. The Irish Protestants had long contributed much more than their natural share to the British army, and the great Irish proprietors appear to have shown much activity in embodying their tenantry. The Earl of Drogheda, at an early stage of the war, had raised a regiment of light dragoons solely by his own exertions, chiefly at his own expense; and several other gentlemen were afterwards commissioned to raise regiments.[2] The Catholics showed every disposition to co-operate with the Protestants. They had already come forward to attest their loyalty in 1759; and in February 1762, Lord Trimleston presented to Lord Halifax an address signed by all the leading Roman Catholics, asking permission to enrol their people for the service of the Crown. He urged, said Lord Halifax, that 'all impressions in favour of the Stuart family were worn out with the gentlemen of consequence and fortune in this country.' He appealed to the conduct of the Catholics in Ireland during the last war; challenged the Lord Lieutenant to produce a single instance from secret intelligence or from the captured correspondence of Murray, the young Pretender's Secretary, impeaching their fidelity; expressed his earnest wish that if they were not allowed to serve George III. as King of England, they might at least serve him as Elector of Hanover, or in any other way he should direct; and predicted that the formation of Catholic regiments would win back many Irishmen who, through the impossibility of finding any other career, had reluctantly enrolled themselves under the French flag.[3] The Government feared to change the law which prevented Roman Catholics from serving as officers in the British army; but they introduced and cordially sup-

[1] Halifax to Egremont, April 17, 1762. On February 12, 1762, he wrote to Egremont:—'The vote of confidence for 200,000*l.* passed the House of Commons yesterday, without a negative or a single word of objection or observation, which, as there was no answering for the humours of individuals, especially as the demand came in addition to large supplies granted before, was more than I could expect.'—Record Office.

[2] Chatham *Correspondence*, ii. 60–61.

[3] Halifax to Egremont, February 1762. Record Office.

ported a proposition for enrolling seven Irish Catholic regiments to serve in the allied army of Portugal. Political difficulties and the approach of peace defeated this scheme, but no sign or evidence of Catholic disloyalty interfered with it. The Catholic bishops, immediately after the declaration of war by Spain, issued an address calling upon their co-religionists to join everywhere in the public day of prayer for the success of the King's arms.[1] The popularity of Pitt was hardly less in Ireland than in England. On his retirement from office the merchants and traders of Dublin presented to him an address expressing their enthusiastic admiration for his career. The citizens of Cork erected a marble statue of him in 1764 in their Exchange, and it was a complaint of the Government that in the first Address of the Commons on the Peace nothing was said in eulogy of its terms.[2]

There were, however, certain questions brought forward at this time in the Parliament which had a more purely Irish interest. The objects of the National party were simply to obtain for the Irish Protestants the laws which were regarded by Englishmen as the most essential guarantees of their liberty. The immovability of the judges and a Habeas Corpus Bill were frequently brought in; but the two measures on which their efforts were now mainly concentrated, were the restriction of pensions and the limitation of the duration of Parliament.

The grievance of the Pension List had been rapidly becoming insupportable; for, though none of the pensions granted under George III. were as scandalous as several which had been granted in former reigns, the aggregate amount was steadily and rapidly increasing. During the greater part of the reign of George II. it had been nearly stationary, and on the succession of the Duke of Devonshire to the Viceroyalty in April 1755, the pension list, exclusive of the French pensions and the military pensions, amounted to 38,003*l.*, but from this time it rapidly rose. On the accession of Bedford, in January 1757, it was 51,583*l.*; on the accession of Halifax, in April 1761, it was 64,127*l.* In the two years of this administration it rose to

[1] Halifax to Egremont, February 1762.

[2] *London Chronicle*, May 8–10, 1764. Plowden's *Historical Review*, i. pp. 348–352. See, too, the Government Correspondence in the Record Office.

70,752*l.*, and when Lord Townshend assumed the reins of power in August 1767, it had increased to 86,741*l.*[1] In 1753, the law imposing a tax of 4*s.* in the pound upon places and pensions held by absentees had been suffered to drop, for it was found that the clause enabling the Sovereign to grant exemptions rendered it wholly nugatory. The tax produced scarcely anything, and the exemption was always granted in the worst cases. The war had left Ireland with a debt of more than half a million, and her resources were so scanty that she staggered under the weight. With no foreign trade, with a people sunk in extreme poverty, with a permanent military establishment far larger in proportion to her population than that of England, at a time when her finances were greatly disordered, and when it might be supposed that her exertions might have entitled her to some consideration, Ireland found herself burdened with this vast increase of pensions, the greater part of them intended either to reward services which were not Irish or to increase the influence of the Crown. In 1757, when the pension list was comparatively moderate, the House of Commons passed resolutions denouncing the increase of pensions as alarming; and it compelled the Duke of Bedford, by a threat of withholding supplies, to transmit its resolutions to the King. In 1763, shortly after Lord Northumberland had come over, and at a time when the pension list had risen to 72,000*l.*, which was 42,000*l.* more than the whole Civil List, the subject was taken up with great ability by John Fitzgibbon, the father of the well-known Lord Clare. The House agreed that the pensions charged on the Civil List were an intolerable grievance, and it resolved itself into a committee to investigate the subject, but the Government succeeded in defeating the project of an address to the King. In the course of the debates of this year Mr. Pery revealed to the House the remarkable fact that under a false name an Irish pension of 1,000*l.* a year had been granted to Count de Viri, the Sardinian ambassador, who took a prominent part in negotiating the Peace of Paris.[2] In 1765, as the pension list was still increasing, a new but abortive attempt was made to

[1] *Miscellaneous State Papers*, Irish State Paper Office (Report on Pensions). See, too, Grenville *Papers*, iv. 218.

[2] Caldwell's *Debates*, pp. 474, 475. Plowden's *Historical Review*, i. 356–360.

procure an address to the King.[1] The grievance was particularly grave, because the greater part of these pensions appear to have been positively illegal. They were granted by the King upon the revenue at large; but it was admitted that the temporary portion of that revenue being voted for specific purposes could not be legally diverted to pensions. There remained then the hereditary revenue, and the King claimed, and, by long prescription, was allowed to treat it as private, alienable property. How little foundation there was for this claim was easily shown by an examination of the constituent parts of the hereditary revenue. The Excise had been granted in perpetuity 'for pay of the army and defraying other public charges in defence and preservation of this kingdom.' The Act granting tonnage and additional poundage, granted it for 'protecting the trade of this kingdom at sea, and augmenting the public revenue.' The hearth-money was described as 'public revenue for public charges and expenses.' The Act granting the revenue of all licences contained a clause restraining the Crown from charging it with pensions. The quit rents, and the Crown rents granted by the English Act, 11 & 12 William III., were subject to the same restriction, and the sole revenue in Ireland which was left by law at the absolute disposal of the Crown, did not amount to 15,000*l.*, probably not to 7,000*l.* per annum.[2]

The National party was at this time unable to put any effectual stop to this great evil; but, in 1763, the Government of Lord Northumberland gave a distinct assurance that the King would not grant any more pensions for lives or years upon the establishment 'except on extraordinary occasions.'[3] The King appears to have had a real wish to restrict the pension list,[4] but under the system of government which was established it was not easy to do so, and in spite of all pledges it continued to increase.

The other subject which occupied a foremost place in popular politics was the limitation of the duration of Parliament.

[1] Plowden's *Historical Review*, i. 373.

[2] Alexander McAulay's *Enquiry into the Legality of Pensions on the Irish Establishment* (London, 1763). Caldwell's *Debates*, pp. 206–220. Caldwell's *Debates*, pp. 494–496.

[3] The declaration was thought by the Government in England to be too strong and explicit. — Halifax to Northumberland, October 27, 1763. Record Office.

[4] See Grenville *Papers*, ii. 146–147–513.

This question, with which Lucas had especially identified himself, and which was powerfully supported by the eloquence of Flood, was one of the very few that profoundly agitated the whole Protestant community of Ireland, and a large proportion of the members of the first Parliament of George III. were bound by the most stringent pledges to do their utmost to carry it. It was brought forward on the very first day on which the new Parliament sat, and heads of a Bill for septennial Parliaments were repeatedly carried through the Commons. There were, however, many different motives and influences at work, and a very large amount of insincerity was displayed. It was noticed with indignation in the country that, though the House of Commons in 1761 voted the heads of the Bill, it refused to present it in a body to the Lord Lieutenant and to request him to recommend it to His Majesty. The majority of the members in their hearts detested a measure which would increase their dependence on their constituents and expose them to the risk and expense of frequent elections. Some, who were less purely selfish, dreaded the effects of such elections in promoting idleness and disorder. The Undertakers feared that an increase of the popular element in Parliament would be fatal to their power; and the Government, both in England and Ireland, were afraid that it would eventually lead to a complete revision of the Constitution. On the other hand, it was impossible to mistake the earnestness of the constituencies, and the pressure they placed upon their representatives was such as had never before been known in Ireland, and had not often been known in England. In all parts of the country resolutions, addresses, and petitions in favour of septennial Parliaments were adopted at county meetings. Instructions of the most peremptory kind were sent up to the members. They were continually reminded of their election pledges, and every sign of languor was jealously watched. The Undertakers, in spite of their boasted strength, could neither oppose nor divert the stream. Members of Parliament were not prepared to meet the storm of obloquy which assailed those who voted against the Bill, and they were extremely glad to transfer the unpopularity of rejecting it to the Irish Privy Council or to England.[1] The Irish

[1] Halifax to Egremont, December 8, December 11, December 23, 1761. February 12, 1762.—Record Office. 'From the best judgment I can form,'

Privy Council detested the Bill, but it passed it, trusting that the English Council would take upon itself the odium of the rejection. The confidential letters of Halifax give a curious picture of the dread with which the measure was regarded by many of its ostensible supporters. At one time they united it with a property qualification for members of Parliament copied from that which was in force in England, hoping that by this addition 'the Bill might be rendered less acceptable to the other branches of the Legislature.' At another, they artfully diffused a suspicion that a Septennial Act would be the precursor of a legislative union. Halifax himself, in his confidential despatches, was strongly opposed to short Parliaments, but in public he professed his neutrality. Members, who were avowedly connected with the Castle, supported the Bill; and the English Secretary of State, Lord Egremont, fully approved of the conduct of the Lord Lieutenant in not discrediting his Government by ineffectual opposition.[1] Under Lord Northumberland the same double policy continued. He was in reality completely hostile to the Bill, but he said that even some of the servants of the Crown would vote for it.[2] The House of Commons, no longer content with passing the heads of the Bill, now addressed the King through the Lord Lieutenant, asking him to assent to it. Northumberland answered that 'he had received information of the most authentic nature that the Bill for limiting the duration of Parliament would not be returned this Session.' 'I shall, however,' he added, 'lay before His Majesty the sentiments of the House of Commons contained in this address, and shall renew the representations which I have already made in the strongest and warmest manner in favour of such a law.' For the present, therefore, the English ministry took upon themselves the unpopularity of rejecting it.[3]

he wrote, 'the passing of this Bill into a law would be to the full as unacceptable to those who have promoted it in the House of Commons as to those who have opposed it.'

[1] Egremont to Halifax, Dec. 15, 1761. Record Office.

[2] 'I have hitherto declined taking any part [about the Septennial Bill], as it was suffered to pass quickly in Parliament last session, and as I find many of the members, and even some of the King's servants, still think themselves bound by the same engagements which influenced their former conduct, and which they had entered into at the time of their election. I entertain, however, no doubt that it will be rejected in Council.'—Northumberland to Halifax, Feb. 8, 1764. Record Office.

[3] Plowden's *Historical Review*, i. 376. Lord Macartney says:—'A Lord Lieutenant may sometimes think it

There were, however, no signs of diminution of the popular interest in the subject. Under Lord Northumberland the High Sheriffs, and more than eight hundred of the Protestant merchants and traders of Dublin, signed a paper of instructions to their members, enjoining them to vote for no money Bill of longer duration than three months until a septennial Bill had become law.[1] It was a serious thing to resist the strongest and most persistent wish of the electoral body in Ireland, and the attitude of Parliament on the question already showed that in spite of all defects in the Constitution, the popular voice had a real, if not a controlling influence, within its walls. It was not easy for any constitutional statesman to defend a system under which a single Parliament had sat for thirty-three years. Even the selfish interests were not all on the same side. Members of the House of Commons could not fail to see that a Septennial Act would add greatly to the importance of the assembly to which they belonged. Members of the House of Lords, who were the chief borough owners in the country, knew that it would fully double the value of this form of property. Irish administrators knew that, whatever might be its ultimate effects, it would at least give an extraordinary popularity and strength to any government that carried it. The English Ministers did not desire to see an active Parliament in Ireland; but they had also no wish to alienate a thoroughly loyal people, and to take upon themselves for ever the exclusive odium of rejecting a popular Bill. Besides this, in the first year of the reign one of the leading objects of the Court party was to break down and dissolve all aristocratic connections which had acquired a controlling parliamentary influence, and it was a common opinion that the institution of septennial Parliaments would give a death-blow to the system of Undertakers in Ireland. Many of the Irish who voted for the Bill were haunted with a lurking dread that England would accept it, and the rejection in the first years of the reign appears only to have been decided upon after much uncertainty.

In spite of the difficulties arising from this question the

necessary seemingly to approve and acquiesce in what is desired, and the administration of England have often authorised him to do so, and taken the unpopularity of refusal upon themselves.'—Barrow's *Life and Writings of Lord Macartney*, ii. 138.

[1] Plowden, i. 375, 376.

administrations of the first Viceroys of George III. were very popular, though their tenure of office was exceedingly short. Halifax appears to have been especially grateful to the people, and Parliament marked its sense of his merits by raising the annual salary of the Lord Lieutenant from 12,000*l.* to 16,000*l.* In October 1762, he was recalled to England to succeed Grenville as Secretary of State, and a year later the Earl of Northumberland, who replaced him, came over to Ireland to open Parliament.

In addition to the proceedings about pensions and septennial Parliaments, heads of a Habeas Corpus Bill and of a Bill for making the tenure of the judges secure during good behaviour, were carried at this time; but, as usual, they were suppressed in England. Heads of a Bill copied from the English Act of Anne for obliging those who accepted places or pensions to vacate their seats were also introduced; but, though the measure was described as 'a Bill of some expectation' and on 'a very popular question,' the Government succeeded in defeating it in the House of Commons. At the end of 1764, Lord Shannon and Primate Stone, whose rivalry had so long distracted Irish politics, died within a few days of each other. Stone left no political successor; but the Shannon influence was continued by the young Earl, who found for a time a very powerful and able supporter in his connection, Ponsonby,[1] who was Speaker of the House of Commons, and First Commissioner of the Revenue, and who, with the Chancellor Bowes, and afterwards with the Earl of Drogheda, was appointed Lord Justice. Northumberland was recalled in March 1765, and at this time the determination seems to have been taken in England to make the Lord Lieutenant for the future constantly resident in Ireland, in order by this means to break down the government by Undertakers.[2] It was not, however, then easy to find politicians who would accept the post. Lord Weymouth, who was in very embarrassed circumstances, was first nominated; but though he received the usual grant of 3,000*l.* given to a new Lord Lieutenant for his equipage and voyage, he resigned before going over.[3] Lord Hertford, who followed, was succeeded in October

[1] Ponsonby had married the daughter of the old Lord Shannon.

[2] Grenville *Papers*, iii. 124.

[3] Ibid. iii. 163, 191. He was

1766 by Lord Bristol, and on the appointment of the latter the King wrote with his own hand to Chatham that he expected 'his constant residence while he held his office.'[1] Bristol, however, threw up his office without coming to Ireland, though he also received from the Irish exchequer 3,000*l.* for his voyage and equipage;[2] and in October 1767, Lord Townshend came over as Viceroy to establish the new system of government.

He was brother of Charles Townshend, and his appointment was nearly the last act of that brilliant but erratic statesman. His antecedents were wholly military. He had served at Dettingen, Fontenoy, Culloden, and Laffeldt, and at the siege of Quebec had become commander-in-chief upon the death of Wolfe and the disablement of Monckton; but his conduct on this last occasion had not raised his fame, for he was accused of having persistently thwarted Wolfe during his lifetime, and of having endeavoured after his death to rob him, by a very invidious silence, of the honour of the capture of Quebec.[3] Townshend, however, was by no means an unamiable man. He was brave, honest, and frank; popular in his manners, witty, convivial, and with a great turn for caricature, but violent and capricious in his temper, and exceedingly destitute of tact, dignity, and decorum. He certainly drank hard, and he was accused of low vices, and a great love of low companions.[4] His military knowledge was of much use in some parts of his Irish government, but he was totally inexperienced in civil administration. In some letters of Sir J. Caldwell, written about three months after the arrival of Townshend, we have a graphic and not unpleasing picture of the Viceregal habits. Townshend, he said, was living very hospitably, drinking somewhat less than at the beginning, and laying himself out to be agreeable and entertaining. He was on terms of familiarity with everybody, showed great powers of conversation over the bottle, and was generally thought 'a good-humoured, cheerful

bitterly attacked for this by Junius. The payment will be found duly recorded in the Commons' *Journals*, xiv. 321.

[1] Chatham *Correspondence*, iii. 51, 55–57. See, too, Barrow's *Life and Writings of Lord Macartney*, ii. 144.

[2] Commons' *Journals*, xiv. 324.

[3] Grenville *Papers*, i. 311. He was severely censured on this ground in a *Letter to an Honourable Brigadier-General*, which has been sometimes attributed to Junius.

[4] Walpole's *George III.*, iii. 109–111; iv. 348, 349. Grenville *Papers*, iv. 232, 233. *Baratariana*, passim.

man, meaning no harm,' disinterested, benevolent, and sincere. He walked all over the town in the mornings plainly dressed, with a stick in his hand, saying that he did not choose to be kept like a tame lion, and only allowed to take the air under the protection of guards. On one occasion he took up in his arms a blind beggar who had fallen on the ice, and had him carried into a neighbouring house and his wounds carefully dressed. He refused to sit in the customary arm-chair, saying that a chair of state was by no means an 'easy chair' to him. He constantly talked of his want of power to those who asked favours, and he showed himself seriously offended when Bishop Hervey thanked him for his promotion to the see of Derry as though it were rather due to the Lord Lieutenant than to the King.[1]

It seemed at first as if Townshend could not fail to be popular in Ireland. His constant residence, however displeasing it might be to a few great families, was likely to be generally acceptable, and he was authorised not only to reiterate the declaration of Northumberland that, except on very important occasions, no new pensions should be granted, but also to inform the chief persons in Ireland that the English Government had resolved to grant the capital points of the limitation of the duration of Parliament, and of the security of the judges' tenure of office, and to consider with a favourable disposition the demand for a Habeas Corpus Act, and for the creation of a national militia. His secretary, Sir George Macartney, was an Irishman, and the Irish Chancellor Bowes having died in July 1767, it was thought not impossible that an Irishman might be appointed to succeed him.

No Irish administration had opened under more favourable circumstances. Although the residence of the Lord Lieutenant was ultimately intended to subvert the power of the Undertakers, Townshend at first showed no hostility to them, and was quite prepared to co-operate with them. He was instructed to employ all his power and all his popularity in carrying a measure on which the personal wishes of the King were

[1] Lansdowne *Papers*, British Museum. Add. *MS.* 24, 137.

intensely set. This measure was the augmentation of the Irish army to a little more than 15,000 men.

In his very first speech from the throne, however, he committed the grave indiscretion of announcing formally and publicly that he had it in charge from the King that provision should be made for securing the judges in their seats during good behaviour, though, in fact, the ministers at home had only authorised him privately and in general terms to offer this, as well as other concessions, to the chief people whose support he desired.[1] The measure was a favourite one of the National party in Ireland, and on the first day of the session heads of a Bill to carry it into effect were unexpectedly brought forward by an independent member and carried without difficulty. It soon, however, appeared that the views of the English ministers and those of the popular party in Ireland were irreconcilable. The Irish wished a law exactly like that which had been enacted in England after the Revolution, and, as in England a judge could be removed by an address of both Houses of Parliament, they proposed to give a similar power in Ireland to their own Parliament. The English ministers were determined that the Irish Privy Council should be recognised as an essential part of the Irish Constitution, and that the dependence of Ireland on the English Parliament should be emphatically asserted. Shelburne wrote to Townshend that the Irish judges must be removable only upon a representation of the two Irish Houses of Parliament and the Irish Privy Council conjointly, or upon an address of the two Houses of the British Parliament. Townshend at once summoned the confidential servants of the Crown, and directed

[1] Shelburne wrote (Oct. 29, 1767), severely rebuking him for this. He says the public announcement 'was expressly contrary to the opinion of the Lords who met at the Lord President's the evening before your departure; when at the same time that they approved the measure, upon full consideration of your Excellency's proposal to mention it in your speech, they did for very material reasons recommend it to your Excellency rather to make use of general words, leaving it to you to take occasion in private conversation to acquaint such persons as your Excellency should judge it for H.M.'s service to talk confidentially with, of the determination of the King's servants to support in Council the Septennial Bill, and the judges' for life, and to hear with a favourable disposition whatever should be offered towards the forming of a Militia, and Habeas Corpus Act.'—Record Office. It is remarkable how accurately Walpole relates this episode, which could only have been known to a very few confidential servants of the Crown. — *Memoirs of George III.* iii. p. 109.

them to have clauses to this effect inserted in committee, but they all answered that such clauses would be rejected with indignation, and they entreated him to keep it a secret that they had ever been thought of. The Bill was therefore suffered to proceed to England in a form corresponding with the English Act, but it was returned with clauses making it necessary for addresses of the two Irish Houses for the removal of a judge to be certified by the Privy Council, and making the Irish judges removable by the British Parliament. The Irish House of Commons at once rejected the Bill, and the promise in the speech from the throne was branded with some reason as not much better than a deception.[1]

The appointment of a new Chancellor was another subject of discontent. As political life increased, the old system of placing Englishmen in all the foremost legal, as well as ecclesiastical and political positions,[2] was borne with great impatience, and in addition to the Chief Justiceship of King's Bench, the post of Chief Baron had very lately been opened to Irishmen. Flood had recently animadverted in severe terms upon the character of the English judges in Ireland, and the subject had a special importance, as the chiefs of the law courts were official members of the Privy Council. Townshend was extremely anxious, when establishing the new system of government, to acquire the popularity and the strength that were sure to follow the appointment of an Irishman as Chancellor, and before going over to Ireland he had urged the expediency of this course strenuously and even passionately in a Cabinet Council. Several of the ministers agreed with him, but Lord Camden and the other legal members of the English Government resisted, and Lord Northington, who was consulted on the subject, threw his influence into the same scale.[3] It was found,

[1] Grenville *Papers*, iv. 296–297. Townshend to Shelburne, Nov. 29, Dec. 28, 1767. Record Office.

[2] 'The heads of the Church, the State, the Army, and the Law in Ireland have for a course of years been of another country. Of the twenty-two right reverend prelates the natives only furnish seven, . . . of the seven chief judicial offices, two only are occupied by Irishmen. Of the fourteen great officers of the staff, five only are of that country, and besides all this, several of the principal employments are granted in reversion out of the kingdom.'—*Considerations on the Dependencies of Great Britain* [1769, by Sir Hercules Langrishe], p. 46.

[3] Grenville *Papers*, iv. 170–175. Campbell's *Lives of the Chancellors*, vi. 386–389.

however, that none of the leading English lawyers would accept the post without an additional pension, which was withheld in consequence of the opposition of Conway,[1] and accordingly during several months, and at a time when the Irish Parliament was sitting, the Court of Chancery was shut because the ministers would not choose an Irishman and could not find an Englishman for the post. At length, on November 17, 1767, Sir Lucius O'Brien moved an address to the King on the subject, and although, by the assistance of Lord Shannon, the ministers succeeded in defeating the motion, it had, at least, the effect of obliging them to send over in the following month a second-rate lawyer named Hewitt, to fill the post. Townshend made no secret of the manner in which his judgment was over-ruled, and he is said to have drawn his own picture with his hands tied behind him and his mouth open.[2]

The irritation excited by these things was increased by the delay in transmitting the popular Bills. A belief spread widely that Townshend was only playing with the Septennial Bill as his predecessors had done, and that the assurances he had given were only intended to induce Parliament to sanction the augmentation of the army. He had soon to report to the Government at home the alarming accounts which his Attorney-General had given him of 'the very general discontent which had been long gaining ground amongst all ranks of people,' how it increased day by day as members flocked in from the country, till it became almost impossible to resist it; how a Bill of Supply limited to three months was openly spoken of by the country gentlemen as 'the only certain method they had of obtaining those popular Bills which had been so often demanded and so constantly refused.'[3] The House of Commons, not content with passing the heads of the Septennial Bill, presented it in a body to the Lord Lieutenant, and it appeared evident that until some more definite concession was made, there was little chance of carrying the favourite augmentation scheme of the Government.

This latter proposal was part of a scheme of policy with which

[1] Walpole's *George III.* iii. 109.

[2] Grenville *Papers*, iv. 232, 233. Townshend to Shelburne, Oct. 27, Nov. 13, Nov. 15, Nov. 17. Shelburne to Townshend, Nov. 24, 1767. Record Office.

[3] Townshend to Shelburne, Nov. 15, 1767 (secret and confidential).

we have already been much concerned in this history. We have seen that it was one of the strongest convictions of the King and of a few of the leading English statesmen, that the British army, after the Peace of Paris, was wholly inadequate to the defence of the extended Empire, and that it was therefore imperatively necessary to augment it. In England the antipathy to a standing army was so great; parties were so divided, and the King was so anxious to win the popularity necessary to break down aristocratic connections, that no attempt was made to increase the peace establishment. In America the ministers had persistently endeavoured to induce or compel the colonists to support an army for their own defence, but they had signally failed, and instead of creating a new army they had created a new and very formidable mass of discontent. It was hoped that they might be more successful in Ireland, where the influence of the Crown upon the Legislature was much greater, where the feeling against a standing army was much less strong, and where circumstances had given the Protestant population much of the character of a military caste.

I have already contended that they were right in considering that an augmentation of the forces was necessary for the security of the empire; but it is not surprising that Irish politicians should have disputed the propriety of throwing it on Ireland. The peace establishment of Great Britain was usually about 17,000 men. The peace establishment of Ireland, since the reign of William, had been 12,000 men, recruited solely from the Protestants. Considering the enormous difference between the two countries, both in population and in resources, it was maintained that Ireland already bore more than her proportionate share, even allowing for the fact that she contributed nothing to the support of the British navy. It was, no doubt, perfectly true that in Ireland a considerable army was required for the protection of the country, that the revenue could often not be collected without a military escort, that Whiteboys in the south and Oakboys in the north could only be suppressed by a disciplined force; but it was not alleged that the 12,000 men who were already supported by Irish taxation were insufficient for these purposes, and, as I have

already noticed, there had scarcely been an occasion of national danger since the Revolution, in which a great part of the Irish army had not been sent out of the country.[1] If anything more was needed, the National party were not only ready but eager to establish a militia, and Flood had already unsuccessfully brought forward a Bill for creating one.[2] The existing army was not unpopular, and no one desired to diminish it; but there was much in its constitution that was anomalous and a grievance. Created by an English Act of Parliament, paid from the hereditary revenue, governed without an Irish Mutiny Act, it was constructed on a scale of lavish and increasing extravagance. The number of regiments, and consequently of officers, and especially of higher officers, was much greater in proportion to the number of men than in England. It was stated in Parliament, in 1763, that the staff of general officers in Ireland cost 22,000*l.* a year, while that in England cost only 11,000*l.*; that the whole expense of general officers paid by Ireland had risen in two years from 32,000*l.* to 45,000*l.*; that most of the generals lived habitually in England, and that several branches of the Irish military expenditure had trebled or quadrupled in two years.[3]

It was added that the obvious reason for increasing the army was the extension of the empire in America, and that there was a peculiar refinement of injustice in throwing upon Ireland the defence of the colonies when she was excluded by express enactment from all commercial intercourse with them. Besides this, the National party already recognised the cause of the colonists in their struggle with England as substantially identical with their own, and they urgently deprecated the possibility of an Irish army being employed in coercing America.

Nor were the finances of the country in a condition to justify a permanent addition to the expenditure. It appeared by the accounts laid before Parliament that in the year ending at Lady Day 1767, the hereditary revenue had been about

[1] See vol. i. 281, 282.

[2] Chatham *Correspondence*, iii. 3.

[3] Caldwell's *Debates*, 209, 210, 302, 583, 584. It is worthy of notice that George Grenville, the proposer of the American army, had contemplated an augmentation of the Irish army, 'so that Ireland might bear a part of the public burden of the country, and have a sufficient number for her own defence.' He was led to the scheme by finding that the troops in the country had been at one time reduced to 5,000 men, but he ultimately abandoned it.—Cavendish *Debates*, i. 555.

623,000*l.*, and the additional duties about 225,000*l.*, and in both departments there had been a considerable falling off since the preceding year.[1] The Peace had been followed by a period of extraordinary prosperity in the victualling trade, but yet the debt, according to the calculation of Lord Townshend, instead of diminishing had increased during the four years of peace between Lady-day 1763 and Lady-day 1767, from 521,161*l.* to 581,964*l.*, and the revenue was still largely below the expenditure. If this was the case with the existing establishment, and at a time of unusual prosperity, was it wise to add more than 3,000 men to the permanent military establishment, and to bring it within 2,000 men of the peace establishment of Great Britain? 'Those,' wrote Lord Townshend, 'who are best acquainted with the state of the revenue are of opinion that the country is not able to bear such an additional expense. Upon calling for the public accounts, and examining more minutely into this matter, I am sorry to find these opinions too well grounded.'[2] Considering the increase of the National Debt the Council were unanimously of opinion that 2,000 men was the largest augmentation the country could bear.[3]

The English ministers treated these fears with much contempt, pointing to the profusion of private and often corrupt grants that were voted; but it was natural that this argument should have more weight in London than in Dublin. Admitting, it was said, that private or political motives often determined the particular enterprise which Parliament assisted, those private grants were at least a portion of the Irish revenue, which was expended in Ireland and for Irish purposes. Considering that nearly all the most lucrative posts in Ireland were held by Englishmen, that a great part of the overgrown and rapidly increasing pension list was in favour of men who never visited the country, that a great portion of the military expenditure went in paying generals and even troops who were not in Ireland, that the commerce of Ireland was cramped and confined with the view of making all advantages centre upon England, and that an enormous proportion of Irish rents were habitually sent to England, there was surely a certain

[1] Commons' *Journals*, xiv. 325.
[2] Nov. 5, 1767. Townshend to Shelburne. [3] Ibid.

effrontery in the ministerial complaint that the Irish revenue was [illegible] with private grants for the benefit of Irishmen and Irish enterprises. Most of these grants were for purposes of incontestable utility. Many thousands of pounds had been devoted to making the buildings of Trinity College worthy of a great university. Many thousands had been employed in giving Ireland the early benefit of the new system of internal navigation. Was it indeed so intolerable that considerable sums should be employed in opening new roads, in giving bounties to fisheries or agriculture, in subsidising the Dublin society or the Charter Schools, in erecting county infirmaries, or chapels of ease? If in the grants to public works, favours were most readily granted to those who possessed parliamentary influence, some public benefit was at least combined with this political corruption. It was by no means clear that the public assistance granted to private enterprises was excessive in a country where industry and industrial enterprise were very low, and it was quite certain that the condition of the nation would not be improved by diverting this, like so many other sources of revenue, from Irish purposes.

It will probably be admitted that these arguments were not without great force, and the task of Lord Townshend in carrying the augmentation was a very difficult one. If the measure had stood alone, it would have incontestably failed, but the Lord Lieutenant was authorised to purchase it by several concessions of the highest value.

He was, in the first place, to assure the principal persons in Parliament of the intention of the King's servants to grant the capital wish of the Irish constituencies, the limitation of the Irish Parliament to seven or, at least, to eight years, and he was directed to use to the utmost the popularity acquired by this communication in order to obtain the augmentation, remembering that these two measures must always be considered together.[1] He was, in the next place, to have a clause inserted in the Augmentation Bill securing that if the Irish establishment were raised to a little more than 15,000 men, 12,000 should always remain in Ireland, unless the Irish Parliament chose to authorise their expatriation, except in case of sudden

[1] Nov. 5, 1767. Shelburne to Townshend.

and extraordinary emergency. The Irish gentry, who had more than once been left almost wholly unprotected in time of danger, attached so great an importance to this new guarantee that with many of them it was quite sufficient to outweigh all the disadvantages of the augmentation. Something was also done to lighten the financial burden. The King again authorised his representative to declare that, except on very urgent occasions, he would grant no additional pensions for life or for years or in reversion. The Government consented, after much hesitation and delay, to accept a re-enactment of the old law imposing a tax of 4*s.* in the pound on absentee place-holders and pensioners, with the omission of the important clause authorising the sovereign to exempt those whom he pleased from its operation. It was also provided in the augmentation scheme that the Irish battalions should be assimilated to those of England, by which means the proportionate expenditure would be considerably reduced.

These offers were very considerable, and the return, in February 1768, of the Bill for shortening the duration of Parliament, excited the warmest gratitude in Ireland. The Bill was, it is true, changed from a septennial to an octennial one, and it has been repeatedly stated, both by English and Irish writers,[1] that this alteration was a manœuvre intended to induce Parliament to reject it. This charge is, however, completely unfounded, and the conduct of the English Government in the whole matter was perfectly honest. As early as November 5, 1767, Shelburne had announced to Townshend that if the duration of Parliament was shortened the Act should be octennial rather than septennial, in order to suit the special circumstances of Ireland, where Parliament only sat every second year, and also to prevent the inconvenience which would arise if general elections in England and Ireland were simultaneous,[2] and before making the alteration, he had obtained an assurance from Townshend that it would be accepted.[3] The alteration

[1] See the history of this measure in Almon's *Biographical Anecdotes*, i. 101–109. Plowden's *Historical Review*, i. 388.

[2] Shelburne to Townshend, Nov. 5, 1767.

[3] 'The Committee upon this Bill [for limiting the duration of Parliament] would by no means come into what, by your Lordship's directions, I suggested to several of the principal persons here, which was to fill up the

was indeed manifestly expedient as long as Parliament only held biennial sessions, and it did nothing to diminish the popularity of the concession. The Parliament house was surrounded by many thousands of men who compelled the members as they entered to promise that they would vote for the Bill, and all over the country the excitement was such that it would have been madness to have resisted. The Bill was thus passed which laid the foundation of parliamentary influence and independence in Ireland, and the Lord Lieutenant, who had recommended it, was for a time the object of unbounded enthusiasm. His carriage was drawn by the crowd from the Castle to Parliament, when he went to pronounce the royal assent. Parliament passed a warm vote of thanks to the King for giving his assent to the Bill, and hostile motions which were pending for inquiring into the excessive expenditure in pensions and in the army were speedily dropped.[1]

The Augmentation Bill, however, was not yet carried, and it was this question which brought the Government into direct collision with the Undertakers, who had hitherto supported them. Lord Shannon, Ponsonby, and Hely Hutchinson were now in close union, and in December 1767 they were in communication with Lord Townshend on the subject. They consented readily, on condition of receiving certain personal favours, which they stated with cynical frankness,[2] to carry the ordinary business of the Government through Parliament; but they pronounced the Augmentation scheme to be so expensive and unpopular, that it could not be safely proposed without the

blank with the word eight, though I believe many members do in truth wish even for a longer term. . . . . At the same time I have great reason to believe that should the Privy Council in England think it expedient to make this Bill octennial, though it would in some degree take away from the popularity of the measure, it would by no means endanger its being rejected here.' -Townshend to Shelburne, Nov. 29, 1767.

[1] Plowden, Gordon. Townshend to Shelburne, Feb. 16, May 3, 1768.

[2] They demanded a share in the disposal of His Majesty's favours in Ireland 'proportioned to the number of their friends and their weight in the country.' Lord Shannon wished to be one of the three Lords Justices; Mr. Ponsonby expected the office of Examinator of Customs, now in possession of his eldest son, to be given to his two sons for their joint lives; the Prime Serjeant asked that life offices of not less than 500*l.* a year, should be given jointly to his two sons, that his wife should be created a viscountess, and that 4,000*l.*, which he said was a debt due to him by the Government and acknowledged by Lord Hertford, should be speedily paid. — Townshend to Shelburne (secret), Dec. 12, 1767.

co-operation of the Duke of Leinster and Lord Tyrone, and the assent of some of the popular speakers such as Flood and Sir W. Osborne. None of these persons would give their consent, and, on the other hand, Shelburne refused with much dignity to purchase the limited support which was offered, or to consent to the request of Lord Townshend that 'His Majesty would recede from that strict rule which he had laid down with regard to pensions for life or years, and reversions,' in order to win Parliamentary support.[1] The result was that the old party of the Undertakers went into violent opposition, and the Government had to look elsewhere for support. The letters of Lord Townshend show that many independent members favoured the scheme,[2] and that he did not believe it to be unpopular in the country, though it was the general wish that it should be postponed till after the dissolution which followed the Octennial Act. 'I am every day more and more convinced,' he wrote in February 1768,[3] 'that the independent gentlemen who have some considerable following are resolved to go on with great moderation.' He speaks in grateful terms of the assistance they gave him; he proposed to apply formally 'for help to those who are generally in opposition, and are called the independent gentlemen,' and he noticed that the county of Dublin alone, had instructed its members against the Bill, and that the Octennial Bill, and the security that was given for the constant presence of 12,000 men in the country, had given great satisfaction. On the other hand, the most popular orators in the assembly denounced the proposal as intended to coerce America, and as certain to ruin the finances of Ireland. The largest borough proprietors were in opposition, and many of the supporters of the Bill feared to vote so large an increase of expense on the eve of an election.

[1] Townshend to Shelburne, Dec. 12, 1767. Fitzmaurice's *Life of Shelburne*, ii. 103. Lord E. Fitzmaurice has printed several of the more important letters relating to this episode.

[2] 'As to individuals, independent of those whom Government have a hold upon, I have met with a very general approbation of this measure, one thing being always taken for granted, that security is to be given that 12,000 men shall always remain in Ireland, except when the immediate defence of Great Britain, either from an invasion or a rebellion, shall require their being removed.'—Townshend to Shelburne, Dec. 12, 1767.

[3] Feb. 4, 1768. On the 16th he speaks again of the 'great moderation of the country gentlemen,' and adds 'I have now the satisfaction to acquaint your Lordship that I have met with their most hearty assistance.'

'It is the general wish of every person here,' he wrote, 'from the highest to the lowest, that the Parliament should be instantly dissolved, and the augmentation be proposed in the next . . . when men would be at liberty to act freely.'[1]

Shelburne, however, would grant no delay. An English Act of William had authorised the Crown to keep 12,000 soldiers, but not more, on the Irish establishment. Another English Act was now carried removing the restriction, and at the same time giving a security that 12,000 men should be permanently kept in Ireland, and a King's message was laid before the Irish Parliament stating that an augmentation raising the Irish army to 15,255 men had, in the opinion of his Majesty, become necessary. The public service, the message said, required 'that some part of the troops kept on the establishment of Ireland should be employed towards the necessary defence of his Majesty's garrisons and plantations abroad,' and in addition to these it was expedient that 12,000 men should be kept in Ireland, 'as far as is consistent with such a defence as the safety of both kingdoms in case of any sudden or extraordinary emergency may require.'[2] The House at once resolved itself into a committee; an address was moved acceding to the request, but 'notwithstanding every effort that was made and every support given by the country gentlemen, who, to secure the success of this measure, had advised to have it postponed to another session, the address was rejected by 108 to 104.' Lord Shannon, the Speaker, the Prime Serjeant, and the Attorney-General, both in public and private, did their utmost to obstruct the Bill, but the result, though a defeat, was not regarded as discouraging. 'Amongst those who, during this remarkable session, have supported the King's Government with constancy and firmness, without so much as hinting at any consideration,' wrote the Lord Lieutenant, 'there are many men of the first abilities, of the greatest property and integrity, who, should changes be thought necessary, I could recommend to His Majesty as servants that could carry on public business with safety and credit.'[3]

[1] April 6, 1768. Townshend to Shelburne.

[2] Commons' *Journals*, xiv. 526, 527. The English Statute, 18 George III. ch. 13, likewise gives the necessity of employing some Irish troops in 'garrisons and plantations abroad' as a main reason for the augmentation.

[3] Townshend to Shelburne, May 3, 1768.

Shortly before this defeat of the Government, the news arrived that the English Privy Council declined to return the Habeas Corpus Bill, alleging the danger arising from the immense preponderance of Catholics in Ireland, and from the disturbed condition of a great part of Munster.[1]

Parliament was dissolved on May 28, 1768, and Townshend at once threw himself with characteristic vehemence into the task of breaking down the power of the Undertakers. 'The constant plan of these men of power,' he wrote, speaking of Shannon and Ponsonby, 'is to possess the government of this country, and to lower the authority of English government, which must in the end destroy that dependence which this kingdom has upon Great Britain.' He complained that they had almost reduced the Lord Lieutenant to 'a mere pageant of State,' and he warned the Government that the crisis had arrived, and that upon the determination now shown in resisting the Undertakers depended the future strength of English government in Ireland. A complete change of persons, though for a time delayed, must eventually be effected; the aristocratic party must be thoroughly broken; in order to restore vigour to the government of the Crown, Ireland must remain under the constant attention of a resident viceroy; every place, office, and honour must depend exclusively upon his favour, and in this manner an overwhelming political influence must be gradually concentrated in the Crown. Immediately after the Session of 1768, as an earnest of the favours to be expected by those who supported the Viceroy, four peers were raised a step in the peerage, four new peers, three baronets, and four Privy Councillors were made, and Townshend urged the propriety of creating an Irish Order like that of the Thistle or the Bath in order to reward those members of the nobility who were foremost in supporting the Government.[2]

The system was not yet fully matured, but it was at least fully conceived. The overwhelming preponderance of nomination boroughs in the Irish Parliament had given three or

[1] Shelburne to Townshend, April 23, 1768.

[2] Townshend to Shelburne, May 31, 1768; to Weymouth, Aug. 17, Oct. 22, Nov. 21, 1769; Shelburne to Townshend, May 19, 1768; Weymouth to Townshend, June 9, 1769.

four men an extraordinary power, which the Viceroy was resolved to destroy, and for this purpose he designed to attach as many as possible of the minor borough owners to himself by a lavish creation of peerages. Apart from the pension list, direct pecuniary bribes to members of Parliament did not exist. There was no fund from which they could be drawn, but places were extravagantly multiplied, and pensions, in spite of royal promises, were soon granted anew for the purpose of securing parliamentary support. At the same time, Townshend had no wish to rely solely on corrupt means, and he hoped to secure the assistance of the independent country gentlemen, and even of the leaders of the most advanced party. 'The Octennial Bill,' he wrote, 'gave the first blow to the dominion of aristocracy in this kingdom, and it rests with Government to second the good effects of it,' and he strongly urged the ministers to call Flood and Sir W. Osborne to office.[1]

It is not easy to realise the conditions of Irish parliamentary politics at this time, for all analogies drawn from the Irish contingent in the Imperial Parliament are wholly misleading. In the Parliament of the early years of George III. all the members were Protestants and elected by Protestants, and the most liberal regarded the propriety of Protestant ascendency as an axiom.[2] The party which now calls itself distinctively national was absolutely unrepresented. The Catholic priesthood, who are now perhaps the strongest element in Irish political life, had not a vestige of power; and although corrupt and factious motives may be often detected, the great tribe of

[1] Townshend to Weymouth, Aug. 17, Sept. 13, 1769.

[2] As late as 1792 Henry Grattan, who of all men in the Irish Parliament was the warmest and most unflinching advocate of the Catholics, received an address from some citizens of Dublin, expressing alarm at changes favourable to the Catholics which were spoken of, and urging him to oppose 'any alteration that may tend to shake the security of property in this kingdom, or subvert the Protestant ascendency in our happy constitution.' Grattan in his answer said: 'The Roman Catholics whom I love and the Protestants whom I prefer are both, I hope, too enlightened to renew religious animosity. I do not hesitate to say I love the Roman Catholic. I am a friend to his liberty, but it is only in as much as his liberty is entirely consistent with your ascendency, and an addition to the strength and freedom of the Protestant community. These being my principles and the Protestant interest my first object, you may judge that I shall never assent to any measure tending to shake the security of property in this kingdom or to subvert the Protestant ascendency.'—Grattan's *Miscellaneous Works*, p. 289.

knaves and fanatics who now win political power by stimulating disloyalty, or class hatred, or agrarian crime, had as yet no existence. There was a great and justifiable discontent at the constitutional and commercial restrictions; but there was at bottom no real disloyalty, and in times of danger Parliament was ever ready to bear its full share, and something more than its full share, in the defence of the empire. In the counties the ascendency of the landlords was undisputed. In the large towns there was an active political life and a strong democratic spirit aspiring towards constitutional privileges, but Irish democracy had as yet no leaning towards the Catholics. Some of the numerous small boroughs were held by men who had purchased their seats. Some were attached to the properties of country gentlemen of moderate fortune. Some were under the direct influence of the Government, or were connected with ecclesiastical preferments and filled by the nominees of bishops. Very many belonged to a few rich members of the House of Lords, who had made it an object to accumulate political power. It appears to have been considered a point of honour that a borough member should not on an important question vote against the policy of his patron.

The body which was thus formed was not divided like a modern Parliament into clearly marked party divisions. Lord Shannon, the Duke of Leinster, Lord Ely, Lord Tyrone, Lord Drogheda, and Mr. Ponsonby had each of them a considerable group of personal adherents, but the lines of Whig and Tory, Government and Opposition, were not drawn with any clearness or constancy. Usually the Government in ordinary business carried with it an enormous majority, but there were questions on which the strongest Government nearly always became suddenly powerless. Money Bills that took their rise or were materially modified in England were almost always rejected, and on several constitutional questions Parliament had a very decided will of its own. It was a common thing for paid servants of the Crown, while in general supporting the Government, to go on particular questions into violent opposition, and for men, who had on particular questions been the most active opponents of Government, to pass suddenly into its ranks; and there was a rapid fluctuation of politicians between Government and

Opposition which is very perplexing to a modern reader. Many corrupt motives no doubt mingled with these changes, but the root of the matter lay in the fact that settled parties had not yet been formed, that all questions were considered mainly in isolation, and that there was little or nothing of that systematic and disciplined concurrence of opinion based upon party lines which prevails in a modern Parliament.

The absence of parties was partly due to the rudimentary character of Irish parliamentary life and to the nature of the constituencies, which gave a predominating influence to a few personal interests, and a somewhat similar state of things may sometimes be detected in English parliamentary life between the Revolution and the close of the reign of George II. There was, however, another cause which was peculiar to Ireland, and the importance of which has not, I think, been sufficiently noticed. The position which the Privy Council held in the Irish constitution enabled the Government to withdraw from serious parliamentary conflict the capital questions around which party divisions would have been naturally formed. Short Parliaments, a secure tenure for judges' seats, and a Habeas Corpus Act were during many years among the chief objects of the popular party; but year after year they were carried without opposition and without division through Parliament, and Government ostensibly acquiesced in them, reserving it for the Privy Council in Ireland or England to reject them. One of the effects of this system was to check the normal growth of Parliament and confuse the lines of party division. The Privy Council, on the other hand, became a kind of additional Parliament[1] in which, though the Lord Lieutenant had a preponderating power, there were several conflicting and independent influences, and which on many important questions became the chief centre of authority and even of discussion.

The unorganised condition of Parliament was very favourable to the designs of the Government, and the elections showed a general sentiment of gratitude for the Octennial Act, and no strong or general antipathy in the country to the proposed

[1] As that very experienced official, William Knox, truly said, the Privy Council was in reality the second branch of the Legislature, in Ireland. —*Extra Official Papers*, Appendix, No. 1.

Augmentation scheme. During the months which preceded the meeting of Parliament Townshend was busy in negotiating with leading politicians on the subject, and he reported that, with a few modifications, the measure might be easily carried. The country gentlemen did not think the guarantee for the continual presence of 12,000 men in Ireland sufficiently explicit, and it was accordingly agreed that those troops should remain in Ireland 'except in case of invasion or rebellion in Great Britain.' The diminution of the extravagance of the Irish military establishments, by reducing the proportion of officers to men and assimilating the Irish battalions to those of England, was of great use, and it was provided that the scandalous number of the absentee general officers composing the military staff of Ireland, who drew their pay from Irish resources though living in England, should be gradually diminished. Townshend also asked that Ireland, in spite of the commercial restrictions, should be allowed the small boon of clothing her own troops when they were out of the kingdom, and he added significantly, 'Whenever Great Britain can allow Ireland some branch of the British manufactures which are declining or given over to our enemies, particularly if Ireland might be allowed a free exportation of woollen goods under a certain price .... it would certainly be a great blessing to His Majesty's wretched subjects in this kingdom.' He was extremely anxious to obtain the support of Hely Hutchinson for the measure, and he succeeded in doing so on condition that the Irish army should be established by the authority of an Irish Act of Parliament, and not, as hitherto, by an English one. Something was said about the desire of some members to obtain an annual Irish Mutiny Act; but this was not seriously pressed, and as Lord Weymouth, who had succeeded Shelburne as Secretary of State, was prepared to make the chief concessions that were demanded, Townshend met the new Parliament on October 17, 1769, with little alarm.[1] Lord Shannon, Ponsonby, and their followers were not yet removed from their different offices; and Ponsonby, in addition to his great and lucrative position of Speaker,[2] was

[1] Townshend to Weymouth, Aug. 17, Oct. 22, 1769.

[2] In 1759 500*l.* was for the first time granted to the Speaker to maintain his dignity, and his salary was augmented in 1761 to 2,000*l.*, and in

still Chief Commissioner of the Revenue, which gave him an amount of patronage that, in the opinion of Townshend, should be granted to no one but the Viceroy. The removal of these men was, however, already determined, and their relations to the Castle were very hostile. There was much bargaining with borough owners, and we learn incidentally that Lord Drogheda and Lord Tyrone were anxious to become Marquises.[1] An instruction to the Committee of Supply to take into consideration what forces were necessary to be maintained in the country for its defence, was moved in the first days of the session by Mr. Pery, and carried against the Government by the assistance of Shannon and Ponsonby, but the real storm broke unexpectedly from another quarter.

The Government had insisted upon maintaining the old unpopular custom of sending over to England a Money Bill, which took its origin in the Privy Council, as a cause for summoning the new Parliament; and this Bill, as was doubtless expected, was peremptorily rejected. So far the House of Commons was acting within its acknowledged right; for, though the English Government claimed the right of originating Money Bills, it never disputed the right of the Irish Parliament to reject them. A resolution, however, copied from one of those which had caused the great constitutional conflict under Lord Sydney in 1692, was now brought forward by the Opposition stating that the Money Bill was rejected 'because it did not take its rise in the House of Commons;' and by the influence of Shannon, Ponsonby, and Leinster, and in spite of the opposition of Hely Hutchinson, this resolution was carried.

The Government were much perplexed. No single prerogative claimed by the Privy Council excited such general and such vehement jealousy as the asserted right of originating Money Bills, and it was certain that the party which resisted it would carry with it the whole independent opinion of Ireland. On the other hand, the English Government had twice, in opposition to the wishes of their servants in Ireland, refused to waive the privilege. They regarded it as an essential part of

1765 to 4,000*l.* See Lord Macartney's sketch, Barrow's *Life of Macartney*, ii. 139; 140.

[1] Townshend to Weymouth, Oct. 22, 1769.

the statute of Henry VII. which established the subordination of the Irish Parliament; they were perfectly resolved not to suffer it to be impugned; and they construed the resolution of the House of Commons as a distinct denial of the right. It is true that this construction might be very reasonably disputed. The House of Commons of 1692, not content with rejecting a Money Bill because it did not take its rise with itself, had passed a resolution explicitly asserting 'that it was the sole and undoubted right of the Commons to propose heads of Bills for raising money.' The Parliament of 1769 had taken no such step. It exercised an uncontested right in rejecting the Money Bill; and, in the resolution assigning its reason for the exercise of that right, it carefully abstained from determining whether it objected to Money Bills which did not originate with itself as unconstitutional or merely as inexpedient. The Government chose to assume the former; and as Sydney had entered a protest against the proceedings of the House of Commons in the 'Journals' of the House of Lords, prorogued the Parliament and not suffered it to sit again, Townshend was directed to follow the same course, if it were possible out of the hereditary revenue alone, to support the necessary civil and military establishments. Townshend, however, reported that this was absolutely impossible, and it was resolved to proceed in a more prudent, but less ingenuous, manner. The supplies were the first things to be moved in Parliament, and Townshend resolved to show no resentment whatever till they had been granted. The parliamentary party, having struck their blow, acted with studied moderation. The supplies were readily voted, and they were voted for the usual period of two years. A vote of credit to the extent of 100,000*l.* was granted to the Government. The augmentation scheme raising the army from 12,000 to 15,235 men, which was the favourite object of the Government and the King, was again brought forward, and the modifications that had been introduced were so acceptable that Shannon and Ponsonby, as well as Hely Hutchinson, supported it. The Duke of Leinster was the only very powerful opponent, and it was carried by a majority of more than three to one. With a very slight reduction the whole sum demanded by the Government was granted. No previous Parliament in time

of peace had shown such liberality in its grants to the Crown. Townshend, having obtained these things, thought he might safely strike his meditated blow. On December 26, 1769, he went down to the House of Lords, and, having summoned the House of Commons, he thanked them for their liberal supplies, and then delivered a solemn protest against their resolution as an infringement of Poynings' law, directed that his protest should be inserted in the 'Journals' of each House, and at once prorogued Parliament, which was not allowed again to sit for fourteen months.

In the House of Lords a resolution had shortly before been brought forward, in anticipation of such a proceeding, to the effect that no protest should be entered in its 'Journals' which did not emanate from a member and relate to the business of that House; but this resolution, though very powerfully supported, was rejected by a large majority, and the protest of Lord Townshend was duly entered, but the Commons before separating forbade their clerk to enter it in their 'Journals.'[1]

The prorogation was denounced not only in Ireland but in the English Parliament as a grave attack upon parliamentary government. The Parliament had been suffered to sit for little more than two months, and it had scarcely done any business except augmenting the army and voting supplies to Government. The manner in which the resolution of the Viceroy was concealed, in order that Parliament might vote the Augmentation Bill and the Supply Bill, was described as a fraudulent and an ungrateful trick, and the policy of the Government threw the whole country into confusion. All legislation for national objects was postponed. Temporary laws were continually lapsing and could not be renewed. Trade, public security, the supply of the capital, the public credit, all suffered from the cessation of legislation. A Parliament which had shown itself more than commonly zealous in promoting the public service was mortally affronted; in two short months all the gratitude which had been elicited by the Octennial Act was dispelled, and the Undertakers whose unpopularity had proved so useful to the Government were now identified with the popular party.

[1] Adolphus, i. 377–380. *Annual Register*, 1770, 85–90. Plowden's *Historical Register*, i. 394–402. Weymouth to Townshend, Nov. 30, 1769. Townshend to Weymouth, Nov. 24, Dec. 4, 26, 1769.

Fourteen agitated months followed. Public opinion had acquired an intensity and importance which it had certainly not possessed under Lord Sydney. An active press, to which many of the leading politicians contributed, had grown up; and, though Lucas was now dying, his place was filled by abler writers. A history of the recent politics of Ireland described under the name of 'Barataria,' written by Mr., afterwards Sir Hercules Langrishe, and some powerful but exaggerated and too rhetorical letters, very evidently modelled after Junius, written chiefly by Flood and by Henry Grattan, who was then a young lawyer not yet in Parliament, attracted especial attention, and they were afterwards collected in a little volume called 'Baratariana.' Parliament was prorogued from three months to three months, Townshend continually representing that a further delay was necessary to secure a majority; and it is a significant fact that he did not venture to follow the example of Lord Sydney, and dissolve. Petitions for the meeting of Parliament were drawn up in many quarters. The merchants of Dublin were prominent in complaining of the course which had been pursued. The Lord Lieutenant reported that it would be wholly impossible to induce the House of Commons to rescind the obnoxious resolution; that many members of the Opposition spoke of never again voting a Supply Bill for more than six months, or of at least insisting upon annual sessions; that it was widely believed that ministers would gladly see all parliamentary discussion abolished in Ireland if they could only otherwise obtain their supplies. As long as the revenue of the country continued, as at present, insufficient for the public expenses, Townshend found that it would be impossible for Government 'to emancipate itself from the shackles of faction.'[1] There was great poverty and distress in Dublin, and generally throughout the country. Corn had risen to famine price. In the North the disturbances of the Hearts of Steel had just broken out. The revenue in all its branches had fallen so low that in October 1770 Townshend had already been obliged to take up the whole credit of 100,000*l.* in order to provide for the troops. All kinds of exports had diminished. The price of land fell, Government securities which used to bear a considerable

[1] Townshend to Weymouth, April 5, Sept. 25, 1770.

premium could no longer circulate at par, and there were many commercial failures, followed by a severe strain upon the banks. Distress always stimulates political discontent; and in this case with much reason, for it was plain that the prorogation had given a great shock to public credit, and that the augmentation scheme had imposed a heavier burden on the country than it could bear.[1]

New embarrassments also came from England. The English ministers looked upon Irish questions almost exclusively in the light of their influence on English politics, and they were surrounded by grave difficulties of their own. The Wilkes riots were at their height, and the complications about the Falkland Islands had brought the country to the verge of war with Spain. Townshend, who naturally took a sanguine view of the effects of his own policy, declared that Ireland, notwithstanding the crisis, was far less torn by factious agitation than England;[2] but he urged strongly that both on political and economical grounds it was necessary to relax the commercial restrictions. He suggested that a kind of coarse woollen cloth, which was made in Ireland but not in Great Britain, might be sent without danger to the Spanish and Portuguese markets; that the importation of soap and candles from Ireland into England might be permitted on payment of the same excise which those articles paid in Great Britain; that the heavy duty imposed on checked linen sent from Ireland to England should be abolished; and that the same encouragements should be given to the manufacture of printed linens in Ireland as in England.[3] These suggestions, however, proved completely futile, and Townshend could not persuade the Government to add to their

[1] Oct. 16, Nov. 23, Dec. 5, 1770, Townshend to Weymouth; Dec. 12, 1770, Townshend to Rochford. Plowden's *Historical Register*, p. 407.

[2] 'In justice to them [the people of this kingdom], as well as in duty to his Majesty, I must say there can be found, perhaps, no part of his dominions where the people at large are more untainted with the pernicious breath of faction, or better deserving of his royal protection and benevolence.'—March 2, 1770, Townshend to Weymouth. 'The general disposition of his Majesty's subjects has been tried and found so faithful at this crisis, unagitated by the disappointment of the leading interests, unprejudiced by the insinuations or example of other parts of his Majesty's dominions, who solicit them to make a common cause to distress his Government, they apparently remain at this hour a distinguished example of loyalty and confidence.'—Sept. 25, 1770, Townshend to Weymouth.

[3] Ibid.

many difficulties by introducing any measure displeasing to the English commercial classes. In December 1770, the English Council, under fear of a war, imposed an embargo on the export of provisions from Ireland, which greatly aggravated the distress. Not content with the recent augmentation, the ministers desired to raise still more troops in Ireland,[1] and, if possible, again to withdraw the Irish army from parliamentary control, though they had in a great degree purchased the augmentation by partially submitting to it.[2]

Amid all these difficulties, Townshend steadily pursued his own end—the purchase or the creation of a majority in the House of Commons. Shannon was deprived of his place of Master of the Ordnance; Ponsonby was removed from the head of the Revenue Board, where he had been for twenty years; the Privy Council was almost wholly changed; the Duke of Leinster's name was struck out of it at his own request; and a crowd of subordinate placemen, who had refused to follow the Government, were driven from office. At the same time all the resources of Government patronage were strained to the utmost to secure votes. As there was no dissolution, as those who accepted places were not obliged in Ireland to go to their constituents for re-election, as the small borough system accumulated many votes in a few hands, and as Parliament was entirely unaccustomed to systematic opposition, the task was less difficult than might appear. Lord Ely, Lord Tyrone, and Lord Drogheda, who had all great parliamentary influence, were with the Government. Seven important personages were at once bought over with peerages. The Prime Serjeant Hely Hutchinson, who had distinguished himself greatly in support of the Government, obtained an addition of 1,000*l.* a year to the salary of the sinecure of Alnager which he held. Additional pensions, amounting it is said to not less than 25,000*l.*, were promised, and with one exception were ultimately granted,[3] and

[1] Jan. 9, 1771, Townshend to Rochford.

[2] 'I must inform your Excellency in the utmost confidence, that this is thought a very desirable opportunity of recovering the exercise of his Majesty's prerogative in fixing the establishment, as was the constant practice before the late augmentation, by King's letter, without an estimate laid before the House of Commons, and a vote on the particular numbers to be kept up, or the manner of raising or forming the corps.'—Rochford to Townshend (private and confidential), Feb. 18, 1771.

[3] Walpole's *George III.* iv. pp. 348, 349.

all patronage—legal, ecclesiastical, military, and political—was employed with the same end. 'The gentlemen of the House of Commons,' said an acute observer, 'were taught to look up to the Viceroy, not only as the source, but as the dispenser, of every gratification. Not even a Commission in the Revenue worth above 40*l.* a year could be disposed of without his approbation.'[1] The Chief Justiceship of the Common Pleas happened at this time to fall vacant. Hitherto it had always been given to a lawyer from England; but the necessity was so great that the rule was now given up, and it was bestowed on a member of the Irish Parliament, named Paterson, who had been conspicuous in supporting the recent measures of the Government. Where places and dignities could not be at once conferred, promises were held out; and the efforts of the Lord Lieutenant were so successful that when Parliament reassembled on February 26, 1771, he had secured a majority, and the customary address thanking the King for continuing him in office was carried by 132 to 107. It devolved upon Ponsonby as Speaker to present it; but he refused in a very dignified letter to do so, and resigned his office. Pery, who had been at least partly gained by the Court, was elected in his place.

The majority was, on the whole, maintained, though by no means invariably, till the resignation of Lord Townshend in September 1772, but it was maintained only by the most constant and lavish corruption. Thus, in March 1771, Townshend writes to Rochford that he hears a regiment for the East India service is to be recruited in Ireland, and he wishes to recommend for the commissions. 'In the arduous work in which I am at present engaged for his Majesty's service, I stand in need of every aid.' 'The gentlemen of the country are so desirous of getting their relations and dependents into the army that I can very much oblige several very powerful friends of Government by gratifying them with commissions.' In May he asks for eight more promotions in the peerage, and for permission to recommend three or four more members of Parliament as peers. The Home Government, startled at the profusion of honours, refused at this time to make any new peers or more than five promotions; but Townshend insisted that, with the exception of

[1] Campbell's *Philosophical Survey*, p. 58.

the peerage to Lady Egmont, which was a personal favour to himself, every promotion or creation he had recommended was dictated by political motives.[1] He next determined to add to the number of Commissioners of Account, and to divide the Customs and Excise departments. The measure, he thought, was advisable in itself, on account of the great increase of business, and it had 'been long expected by members of Parliament, who complained very much that there was so little to bestow.' The expense to the public in the article of Commissioners of Account had already increased sevenfold since 1757;[2] and when rumours of the intended change got abroad, Flood succeeded in inducing Parliament to pass a resolution stating that the existing seven Commissioners were sufficient; but, in defiance of the expressed opinion of the House, Townshend carried out his purpose. The Boards of Customs and of Excise were separated; five new places of 500*l.* a year each were created, and they were all bestowed upon members of Parliament. Ecclesiastical patronage was administered with a cynical disregard to any other motive except that of obliging parliamentary supporters;[3] and nearly the last letter of the

[1] Oct. 12, 1771, Townshend to Suffolk.

[2] See the protest of nineteen peers against the increase. It is reprinted in the appendix to *Baratariana*. See, too, p. 215. Adolphus, ii. 14. The details of all these transactions will be found in numerous letters in the Record Office. Horace Walpole says that Townshend had assured North that the Irish would like the new board, 'as it would furnish more employments.'—*Last Journals*, i. 17. As early as 1769, Townshend had suggested that the establishment of a new 'board of accounts,' besides its other advantages, would 'open a very favourable opportunity of attaching gentlemen of a very useful turn in Parliament.'—Townshend to Weymouth, Dec. 23, 1769.

[3] Thus, the Bishoprick of Ferns being vacant, he recommends the son of Mr. Bourke, a steady supporter of the Government in Parliament, and adds: 'The borough of Old Leighlin, which sends two members to Parliament, is absolutely in the disposal of the Bishop of Ferns; and your Lordship will find, by the enclosed copy of a letter received from the Rev. Mr. Bourke, that I have taken care to secure it for the use of the Government during his incumbency. . . . . The gentleman whom I have recommended to be Dean of Dromore, in the room of Mr. Bourke, is brother to Major-General Hunt, whose merit and services in the field and in Parliament have been so fully set forth by me to your Lordship. . . . I have long intended to confer some considerable ecclesiastical preferment upon him, but, from a variety of other engagements to gentlemen in Parliament, I never had it in my power till now.' Dean Bourke's letter asking for the bishoprick is enclosed. It does not contain a word relating to religion, but he writes: 'I beg to answer your Excellency that, if his Majesty shall be pleased to confer this mark of favour upon me, I shall always think it my duty to be ready to give my interest in the borough to such gentlemen as shall be from

Viceroy, before he left Ireland, asked for a peerage for the wife of Hely Hutchinson, and for peerages or baronetages for seven members of Parliament who had supported him.[1]

His temper had grown savage with opposition, and he cast every vestige of decorum to the winds. He lived openly with a mistress and with her friends, often disappeared from public life to low haunts of dissipation, ridiculed all parties at his own table, scattered abroad satiric ballads on friends and foes, and boasted openly of his success in purchasing a majority.[2] He had a contempt, which no doubt was fully justified, for the venality of many of his supporters, and his letters to the Government show it without disguise. He spoke with great bitterness of 'the annual bargain which Government is at present under the sad necessity of making with ungrateful servants and prostitute opponents.' He complained that the debate which resulted in his defeat about the new Commissioners had 'opened such a scene of ingratitude in the conduct of many persons,' that there were few indeed in whom he could place much confidence; that those who owed their positions to him gave him only an occasional and uncertain support; that the Attorney-General and Prime Serjeant had grown languid; that the faction of Lord Tyrone were insatiable in their demands. 'His connections are to be gratified upon every opportunity. Mr. Fitzgibbon, who is an eminent lawyer, and in Parliament, asks a bishopric for Lord Tyrone's brother, who married his daughter; and although this gentleman is not qualified by the canon law to take a bishopric on account of his youth, Mr. Fitzgibbon, who moved the address to me at the conclusion of the last session, now makes that a reason for opposing Government with great rancour and vehemence.'[3] The main cause, he maintained, of the unpopularity of the

time to time recommended by the chief governors.'—Private, Aug. 30, 1772.—Townshend to Rochford. In December 1770, Townshend for the first time recommended one of his own chaplains for promotion. 'My great object,' he said, 'has been the promotion of the King's service, and to that I have given up, I think I may say, almost everything, civil, military, or ecclesiastical, that has fallen within my gift.'—Dec. 26, 1770, Townshend to Rochford.

[1] Sept. 9, 1772, Townshend to Rochford.

[2] Walpole's *George III.* iv. 348. *Last Journals*, i. 17, 148, 149. See, too, *Baratariana*, p. 317.

[3] Dec. 11, 1771 (secret), Townshend to Rochford. This Fitzgibbon was the father of the future Lord Clare.

new Board of Revenue was a fear that by a better administration the Hereditary Revenue would be so increased, that the Government might be made independent of parliamentary grants.

On most questions he was supported by a large majority, but his success was chequered by some damaging defeats. The increase in the number of Commissioners of Account, by King's letter in defiance of the Resolution of the House of Commons, was brought forward and censured in different forms on several occasions, and once by a majority of no less than forty-six. A pension of 1,000*l.* a year, granted for a term of lives to Dyson, an obscure and by no means reputable English follower of North, in direct violation of the royal pledge that no such pension should be given except on very urgent occasions, was likewise censured, and the ministers had the mortification of seeing some of their most devoted friends leave the House rather than support it. They only succeeded by a majority of twelve in repelling a vote of censure directed against the King's letters, reimbursing, by a fresh grant, in the case of a few eminent persons, the tax of 4*s.* in the pound, which the Irish Parliament had imposed on all places and pensions held by absentees. The omission of the clause enabling the King to remit the tax had been one of the chief recommendations of the Act; and Flood contended with reason that this omission was a complete mockery, if a new grant of 4*s.* in the pound were made to the pensioners out of Irish revenues in order to compensate them for the tax. Townshend, who had once been so greedy for popularity, now urged the Government against 'any concession to popular opinion,' and advised that the right of altering Money Bills should be exerted. A Money Bill was accordingly altered, and was at once rejected without a division, though, in order to prevent any inconvenience from the delay of supplies, its chief provisions, and even some of the amendments of the Privy Council, were at once embodied in a new Bill.

The revenue was still falling, and the financial condition was aggravated by the political crisis, for Government feared to ask for new taxes. The distress in Dublin was so acute that it was agreed to give up the public dinners commonly given by the Lord Mayor and the Sheriffs, and to employ the money in

charities.[1] One effect of the diminishing revenue was the diminution of the private grants which had been so much complained of. Townshend remonstrated against their magnitude in one of his speeches from the throne, and took to himself the greater part of the credit of the diminution, but it was probably more largely due to the want of funds. In November 1771 he wrote that the money grants had been 'restrained to 50,000*l.*, which is 10,000*l.* less than in the preceding session,' and 70,000*l.* less than in the preceding Viceroyalty, and he added that by far the greater part was now given 'to objects of real national utility.'[2]

The animosity against the Lord Lieutenant had risen to fever heat. In March 1771 sixteen peers drew up a protest in which they described him as a governor 'who in contempt of all forms of business and rules of decency, heretofore respected by his predecessors, is actuated only by the most arbitrary caprice, to the detriment of his Majesty's interests, the injury of this oppressed country, and the unspeakable vexation of persons of every condition.' The press continually painted him in prose and verse as a profligate and a buffoon; and a powerful party in the House of Commons, led with great skill and eloquence by Henry Flood, made it their main object to procure his recall. Every question was contested, and the debates often extended many hours after midnight.[3] In the last months of his Viceroyalty, Townshend obtained a new strength from a quarter from which, beyond all others, it was least to be expected. He stooped to make an overture to Lord Shannon; and that peer, who had signed the protest I have just quoted, consented, for place and power, to break away from Ponsonby and to support him.[4] The Home ministers, however, wisely thought that it was time to close the disgraceful scene. In September 1772 Townshend was recalled and made Master of the Ordnance in England; and the Earl of Harcourt, who had been for some time the representative of Great Britain at the Court of Versailles, was appointed to succeed him.

[1] *Gentleman's Magazine*, 1771, p. 42.

[2] Nov. 28, 1771, Townshend to Rochford.

[3] Barrow's *Life and Writings of Lord Macartney*, ii. 156, 157.

[4] Townshend to Rochford, Feb. 29, April 13, 1772.

No previous administration had done so much to corrupt and lower the tone of political life in Ireland, and Lord Townshend is one of the very small number of Irish Viceroys who have been personally disliked. 'The people of this kingdom,' said Sir John Davies, 'both English and Irish, did ever love and desire to be governed by great persons;' and one of the best arguments in favour of the Viceroyalty is the historical fact that under this system of Government, in spite of party fluctuations and of intestine discord and disaffection, the supreme representative of English law and authority has usually been the most popular man in Ireland. The Irish character, indeed, naturally attaches itself much more strongly to individuals than to systems, and is peculiarly susceptible to personal influences. Chesterfield, like Townshend, detested the system of Undertakers,[1] and took a large share of the government into his own hands, but he was as much beloved and respected as his successor was despised.[2] Townshend certainly desired sincerely the welfare of the country, and his abilities were superior to those of many of his predecessors and successors;[3] but he was entirely destitute of tact and judgment, and he committed a fault which is peculiarly fatal in an Irish ruler. He sought for popularity by sacrificing the dignity and the decorum of his position, and he brought both his person and his office into contempt.

Under Lord Harcourt, Irish politics suddenly calmed. The new Viceroy was an elderly nobleman of immense fortune, undistinguished in public life, and with no conspicuous ability, but painstaking, dignified, decorous, and conciliatory; and his secretary, Sir John Blaquiere, had some debating power and great skill and adroitness in managing men. As Parliament did not meet till October 1773, the Lord Lieutenant had ample time to frame his measures and obtain a personal acquaintance with the leading politicians. He found all parties prepared to welcome him; and Shannon, Leinster, Ponsonby, and Flood

[1] See the curious description of the Undertakers' system, in his *Letters*, iv. 278 (ed. 1779).

[2] See the beautiful lines addressed to the memory of Chesterfield in *Baratariana*, p. 292.

[3] Grattan, who under the signature of 'Posthumus' assailed him bitterly, had the candour to acknowledge that he had 'starts of good feeling,' and even 'parts and genius—a momentary ray which, like a faint wintry beam, shot and vanished.'—*Baratariana*, p. 314.

were all present at his early *levées*. He received secret instructions from Lord Rochford to aim specially at two ends. He was to discourage to the utmost of his power all applications for new peerages and promotions, additional pensions and salaries, new offices, employments for life, and all grants of revenue, as well as the sale of offices, places, and employments. He was also to do his utmost to regain for the King the full control of the hereditary revenue by inducing the Parliament to make good by new taxation the many charges which had been thrown upon it in the form of premiums and bounties, and especially the large bounty voted in perpetuity on the inland carriage of corn.[1] Lord Shannon was warmly in favour of the Government, though, as usual, he stipulated for the distribution of a certain number of appointments and promotions among his followers as the price of his services.[2] In Parliament there was little opposition, and in his first session Harcourt obtained great popularity by a measure reuniting the Boards of Excise and of Customs which had been divided under his predecessor. It is not, I think, now possible to pronounce any decisive opinion on the merits of this change. Townshend always maintained that, apart from its advantage in giving additional patronage to the Government, the division would greatly improve the hereditary revenue by a more efficient management; and his secretary, Macartney, states that in the year that followed it, the revenue was more by 48,000*l.* than in the year that preceded it;[3] but the revenue had been already increasing before the shock that was given to public credit by the prorogation, and it is idle to speculate how much was due to an improved method of collection. It is, however, certain that the expense of the collection had long been rapidly increasing, that the measure of Lord Townshend added no less than 16,000*l.* to that expense, and that its repeal was extremely grateful to the public. 'I am convinced,' wrote the Lord Lieutenant, 'there is not a dispassionate, candid

[1] Rochford to Harcourt (secre and confidential), Oct. 26, 1772.

[2] He asked for one peerage, one pension, and four appointments.—Harcourt to North, Dec. 20, 1772. A large number of the despatches relating to this administration are in a special collection formed by Sir J. Blaquiere, and now at the Record Office.

[3] Barrow's *Life and Writings of Macartney*, ii. 158, 159.

man in this kingdom who does not receive it as a very high mark of his Majesty's favour, and as the most essential proof that can be given of his gracious attention to the Parliament of Ireland.' Five Commissioners and four Surveyors-General were compensated by pensions for the extinction of their posts.[1]

The state of the finances was, however, very serious. 'Our distresses,' wrote the Lord Lieutenant to North in April 1773, 'have increased to such a degree that almost an entire stop is put to all payments whatsoever, except for the sustenance of the army, and at times it has been found difficult to find money even for this purpose. I have reason to think that the arrears upon the Establishment by Christmas next will not fall short of 300,000*l.*' It was with some natural irritation under these circumstances that Harcourt learnt that it was the determination of the King to impose another heavy pension on the Irish exchequer for the benefit of the Queen of Denmark, who had just been banished on account of her alleged adultery with Count Struensee. His remonstrances however, were vain, and Ireland had to submit to a pension of 3,000*l.* a year for this lady.[2]

It was admitted on all sides that some further taxation was necessary for the support of the Establishment, and Lord Harcourt was required not only to re-establish an equilibrium, but also to induce the Irish Parliament to impose taxation for the purpose of freeing from charges, that portion of the revenue which Parliament regarded with most jealousy, and over which it had least control. The task was a difficult one; but after consultation with the chief politicians in Ireland, Harcourt concluded that there was one tax which would restore both strength and popularity to the Government, and would at the same time place the finances of the country on a sound basis. This was a tax of 2*s.* in the pound on the rents of absentee proprietors. This tax Harcourt, after mature delibera-

[1] Barrow's *Life and Writings of Macartney*, ii. 156–157. Harcourt to Rochford, Nov. 9, 1773.

[2] North to Harcourt, March 29, 1773. Harcourt remonstrated against this pension, April 24, 1773 (to North). On July 20 1774, he writes: 'Whenever his Majesty shall be pleased to issue his letter for placing the Queen of Denmark on the Civil Establishment of Ireland for a pension of 3,000*l.* per annum, the necessary steps shall be taken for carrying his Majesty's pleasure into immediate execution.'

tion, determined to recommend, and North agreed to accept it if it was carried in Ireland.

In the earlier periods of Irish history, when the right of Government to regulate all matters affecting the social condition of nations was much more fully recognised, several laws had been enacted in Ireland against absenteeism, and some of them had been enforced by pecuniary penalties.[1] Since the days of Swift and Prior a tax on the estates of absentees had been a favourite remedy, and it was much talked of at the time when their pensions were taxed. It was maintained that it was but a small compensation for the perpetual drain of money from the poorer to the richer country, and that the peculiar circumstances of Ireland made it perfectly equitable. Ireland had no land tax and no considerable duty on the transference of movable or immovable property, and the absentee landlord, therefore, contributed little or nothing to the Government which protected the sources of his revenue. On this ground Adam Smith, shortly after the discussions in the Irish Parliament, maintained, in his great work, that an Irish Absentee Tax would be perfectly just as well as expedient.[2] In Ireland such a measure was naturally so popular that there was not much doubt that it would be carried;[3] but it was as naturally unpopular in England, and it remained to be seen whether English politicians would accept it.

The position of the Tory Government was clearly defined. In reply to a remonstrance from his opponents, Lord North answered in the name of the ministers that 'if the Irish Parliament should send over to England such a plan as should appear to be well calculated to give effectual relief to Ireland in its present distress, their opinion would be that it ought to be carried into execution, although a tax upon absentees should be a part of it.'[4] In a confidential letter to Harcourt, Rochford urged that the Absentee Tax must not be suffered to stand alone,

[1] See e.g. 28 Henry VIII. ch. 3, and 10 Charles I. sess. 3, c. 21.

[2] *Wealth of Nations*, book v. ch. 2.

[3] 'If Government here persists in countenancing such a plan, I have no sort of doubt that it will pass the Parliament and Privy Council of Ireland, not only without difficulty, but with the greatest satisfaction and applause.'—Burke to Rockingham. Burke's *Correspondence*, i. 440.

[4] North to Devonshire. Plowden's *Historical Register*, i. 424.

but must be part of a plan for relieving the hereditary revenue from the many burdens which had been thrown upon it, and especially from the existing premium on the carriage of corn.[1] On these conditions the Government would accept it. Lord Hertford appears to have been the only member of the English Privy Council who opposed it.[2]

The Whig Opposition consisted of two sections, which on this question diverged widely, one of them being led by Chatham, and the other by Rockingham. Shortly after the question had been mooted in Ireland, Shelburne, who was himself a large Irish proprietor, wrote to Chatham that he had received information that the 'administration had determined, in case a Bill came from Ireland taxing the estates of non-residents, to pass it here.' Such a proceeding appeared to him 'incredibly unjust and impolitic;' he at first refused to believe it, but he had now ascertained that it was perfectly true, and he urgently called upon Chatham to guide his judgment. Chatham, as he himself says, considered the question long and carefully, and he answered in two extremely remarkable letters which altogether changed the views of his correspondent. They are entirely consistent with the doctrine which Chatham always maintained about American taxation, and also with the position the Irish House of Commons had so often claimed in the discussions about Money Bills.

'My opinion,' he wrote, 'after weighing again and again the whole matter, is that it is most advisable not to meddle in urging the royal prerogative to reject the Bill for taxing absentees, should such a Bill be sent over. The operation of the Bill is excessively severe no doubt against absentees; but the principle of that severity seems founded in strong Irish policy, which is to compel more of the product of the improved estates of that kingdom to be spent by the possessors there amongst their tenants and in their own consumptions rather than here in England, and in foreign parts. England, it is evident, profits by draining Ireland of the vast incomes spent here from that country. But I could not, as a peer of England, advise the King, on principles of indirect, accidental English policy, to

[1] Rochford to Harcourt, Nov. 26, 1773.

[2] Burke's *Correspondence*, vol. i. p. 436.

reject a tax on absentees sent over here as the genuine desire of the Commons of Ireland acting in their proper and peculiar sphere, and exercising their inherent, exclusive right by raising supplies in the manner they judge best. . . . The fitness or justice of the tax in question I shall not consider if the Commons of Ireland send it here. I can only ask myself this single question in that case, What ought I to advise the Crown to do with it? The line of the Constitution—a line written in the broadest letter through every page of the history of Parliament and people—tells me that the Commons are to judge of the propriety and expediency of supplies. All opposition to be made to them is in its place during the pendency of any such Bill, by petition or by members in the House; or for repeal if inconvenience be found to result from a tax; but to advise the Crown to substitute in the first instance the opinion of the taxed, in the place of the judgment of the representative body, repugns to every principle I have been able to form to myself concerning the wise distribution of powers lodged by the Constitution in various parts respectively of the legislature. This power of the purse in the Commons is fundamental and inherent; to translate it from them to the King in Council is to annihilate Parliament.'[1]

Had Chatham at the time he wrote these weighty words been in the full vigour of health and influence the Absentee Tax might have passed without difficulty, but he wrote from a bed of sickness, and some of the leading members of the Rockingham section of the Opposition belonged to the very class on whom the tax would fall. They resolved to resist it to the utmost, and to resist it not only by their influence in the Irish Parliament, but also, if it passed that body, by employing English parliamentary pressure to compel the Ministers to reject it.

To attain this object a remonstrance against the tax signed by five great Whig peers, Devonshire, Rockingham, Bessborough, Milton, and Upper Ossory, and addressed to Lord North, was presented and widely circulated. The remonstrants stated that they possessed large landed properties in both kingdoms; that their ordinary residence was England, to which

[1] Chatham *Correspondence*, iv. 296–308.

country some of them were attached not only by the ties of birth and early habit, but also by those of indispensable public duties; that they had not hitherto considered such residence a delinquency to be punished or a political evil to be corrected by the penal operation of a partial tax; that they claimed the right of free subjects to choose their residence in any part of his Majesty's dominions, and that they could not refrain from expressing their astonishment at hearing that it was proposed to stigmatise them by a fine for living in the country which was the chief member of the British Empire and the residence of the common Sovereign. Such a scheme would be injurious to England, but it would not be less injurious to Ireland. It would lower the value of all landed property there. It would impose upon it restrictions unknown in any other part of the British dominions, and, indeed, of the civilised world. It would lead directly to the separation of the two kingdoms both in interest and in affection.[1]

This letter became the manifesto of the Rockingham party on the question, though it was not accepted without some private hesitation, and two curious letters are preserved, written by the Duke of Richmond and Sir G. Savile, questioning its arguments. It was not surprising, they said, that the Irish, who in every instance were so unjustly treated by England, should endeavour to recover by direct taxation some part of the money which regularly goes out of their country, and which England will not allow them a fair chance of recovering by commerce and manufactures. The remonstrants ask why they should be debarred by an Absentee Tax from the full enjoyment and profits of their estates because they lived in England, as if such residence were a crime. The Irish trader or even landlord might ask in his turn why economical restraints should deprive him of the free enjoyment and full profits of his trade and of the produce of his land simply because he lived in Ireland. It is useless to argue the question on the supposition that the two countries are one. In money matters they are emphatically two, for they have separate purses, different taxes, distinct and, in some respects, hostile commercial systems. If a

[1] This remonstrance has often been printed. See, *e.g.*, Albemarle's *Life of Rockingham*, ii. pp. 227–228.

State finds that some of its subjects, by enjoying their property in one particular way, become less useful to their country, a tax may surely be imposed to compensate the public for the difference. At the same time, they add, though the Irish were very excusable in wishing for this tax, the English would be inexcusable in granting it. The interests of the two countries were in conflict, and the power lay with England.[1]

The remonstrance of the five peers of which I have given a short abstract is, as a composition, one of the most perfect State papers of the time, and few persons who read it can fail to trace in it the master pen of the greatest Irishman then living. The truth is that Edmund Burke had on this question thrown himself with extreme vehemence in opposition to the predominating sentiments of his fellow-countrymen. It is idle to speculate how far he was influenced by the party feeling or the private friendship which so often swayed his judgment, but no one who reads his letters to Rockingham and to Sir Charles Bingham,[2] can doubt the energy of his conviction or fail to be struck with the variety, subtlety, and ingenuity of the arguments with which he enforced it. By the very nature of things, he maintained, the central Parliament of a great, heterogeneous empire must exercise a supreme, superintending power, and regulate the polity and economy of the several parts as they relate to one another; and it is therefore of the utmost importance to Ireland that persons connected with her by property or early prepossessions should find their way into the British Legislature. Under the system of divided properties this had always been the case, but the direct tendency of an Absentee Tax was to prevent it. It would do more. It was a virtual declaration that England was a foreign country. It was a renunciation of the principle of common naturalisation which runs through the whole empire. It was the beginning of a war of retaliation carried on by a weak and dependent nation upon one which was incomparably more powerful. At present, an Irishman, when he sets his foot in England, becomes to all intents and purposes

[1] Albemarle's *Life of Rockingham*, ii. 230–234.

[2] The letter to Rockingham is in Burke's *Correspondence*, i. 434–445. The letter to Sir Charles Bingham (a member of the Irish Parliament) is in Burke's *Works* (ed. 1812), vol. ix. pp. 134–147.

an Englishman; but if Irishmen treat residence in Great Britain as a political evil to be discouraged by penal taxes, they will at last find it necessary to renounce the privileges and benefits connected with such residence. They will be excluded from English official life, from the English Commons, from the English peerage. The necessary effect of the measure will be to separate the countries as much as possible by preventing any one from living in the one who is connected by property with the other. Intermarriages and mutual inheritance, which bind countries more closely than any laws, will become rarer. Obstacles will be thrown in the way of foreign travel. Suitors will be fined for their necessary residence in England while prosecuting their appeals to the ultimate Court of Judicature. Guardians will no longer give Irish minors the benefits of an English education. Invalids will no longer seek health, or men of damaged fortune a period of retrenchment in a foreign land. Englishmen will never again invest their capital or their skill in Irish property. The British Legislature may possibly retaliate by a tax on the English property of residents in Ireland; the colonies will probably follow the Irish example, and thus a principle of disunion and separation will pervade the whole empire; the bonds of common interests, knowledge, and sympathy which now knit it together will be everywhere loosened, and a narrow, insulated and local feeling and policy will be proportionately increased. Nor was the tax merely impolitic, it was also flagrantly unjust. Ireland, which is a subordinate part of the empire, gives laws to the whole, and 'makes a tax of regulation to prevent the residence of its proprietors of land, in the metropolis of the Empire.' 'Is there a shadow of reason that because a Lord Rockingham, a Duke of Devonshire, a Sir George Savile, possess property in Ireland which has descended to them without any act of theirs,' they must during half the year abandon their seats, their political and family duties in England, for a residence in Ireland?

At the same time it is worthy of notice that Burke feared greatly that the proposed measure would not merely pass in Ireland but would be accepted with perfect readiness by the English people. The estimate formed by a great Irish writer of the state of English public opinion on this question

is very remarkable. 'There is a superficial appearance of equity in this tax which cannot fail to captivate almost all those who are not led by some immediate interest to an attentive examination of its intrinsic merits. The mischiefs which such a measure may produce are remote and speculative. So they will appear to the people in general. They will not believe that this tax will drive a great many to a residence in Ireland. They think that this country may still enjoy the expenditure of the greater part of the Irish estates. While the part which is cut off by this tax is in appearance applied to the support of military and other establishments, which without the tax might otherwise fall more directly upon England, they will think themselves indemnified for the loss of that ten per cent. which is taken from the great system of English circulation. As to the great maxims of policy which are subverted by the principle of this tax, I am much mistaken if the people of this country, who have a perfect contempt for all such things, will not consider them on this, as upon so many other things—a mere visionary theory.'[1]

The agitation which Burke and the other members of the Rockingham party began, soon brought forth its fruits. The great English companies, which were large owners of Irish property, had their centre in the city. The flame of opposition spread rapidly, and Rockingham soon made a list of upwards of one hundred persons of large property who were directly interested in the measure. Though Chatham and Shelburne stood apart, it appeared that the question was likely soon to create a formidable and popular opposition, and to spread a wave of excitement over the whole kingdom.[2] The King, who was steadily hostile to every measure which appeared like a concession, whether it was constitutional, commercial, or religious, disliked the Absentee Tax, and had only consented to it reluctantly in order to free the hereditary revenue from the corn bounty.[3] Rochford was much alarmed, and he at once wrote to Harcourt stating that serious difficulties were arising in England, but at the same time repeating his pledge that he would support the Bill in Council if it were passed by the Irish Parliament.

[1] Burke's *Correspondence*, i. 441-442. [2] Chatham *Correspondence*, iv. 304.
[3] *Correspondence of George III. with Lord North*, i. 155-159.

The reply of Lord Harcourt was long and very curious.[1] Considering, he said, that the measure affected the property of some of the most important men in England, and considering the clamour they had raised, he was deeply grateful for the support which he had received 'upon a point wherein' he 'certainly stood committed to this kingdom.' 'The decided opinions of some of the wisest and most experienced men in this kingdom, and the general wishes of the people for half a century past, added to the exigencies of government,' had led him to press earnestly for this tax as the best fitted to relieve the public credit and conciliate the body of the nation; but as soon as he found that it was likely in the most remote degree to imperil the safety of the administration in England, he resolved to waive it. 'In consequence of that determination,' he adds, 'we have used our industry to divert the progress of this tax for the present, and we mean to allow it to be moved in the House by a certain wild, inconsistent gentleman, who has signified such to be his intention, which will be sufficient to damn the measure were no other means to be employed against it. Opposition are first made to startle and by degrees grow alarmed at it, as an approach to a general land tax. As to our own people, by speaking indecisively and equivocally to those who seem to wish (*sic*) against it, and by setting those at defiance who wish to extort favours by a compliance with any requisition of Government, men in general have been brought to hold themselves in suspense with regard to it.' The letters of the five peers, in which it was so strongly maintained that the effect of the measure would be to lower the value of Irish land, were widely circulated. 'Having,' writes the Lord Lieutenant, 'or at least wishing, to give up the object, I will endeavour to make these letters a means of condemning the tax in the House of Commons. It will in course grow a topic of general disquisition and discussion, and from a capricious instability observable in the opinions of the people of this country, I imagine that by leaving men now totally to their own inclinations, this, now so much sought for boon, may die in a few days, and if it should not of itself, every little addition to what has already been done on our part shall be made to

[1] Harcourt to Rochford, Nov. 9, 1773.

destroy it.' 'There is not a man in this kingdom,' he added, 'who either from station or abilities was entitled, or from whom any probable advantage could be gained, with whom, either directly in conversation with myself or through my chief Secretary, every proper confidence has not been reposed.'

The measure appears to have been introduced by Flood.[1] It is probable that he took it out of the hands of some more inconsiderable member, for, although Harcourt personally disliked him, and although in the course of his recent opposition he had probably offended the most important personages in Parliament, it is extremely unlikely that Harcourt would have referred to him in the terms I have quoted. His Parliamentary influence during the last few years had been great and acknowledged. Harcourt fully recognised it by the very high offer he made to attach him to his Government, and Burke regarded his determination to favour the Absentee Tax as one of the most serious elements in its favour.[2] For the rest, the designs of the ministers were very skilfully accomplished. Some no doubt opposed the tax because they imagined that they would thus embarrass the Government, and others because they knew that the Government secretly desired it; the great absentee proprietors had their own connections and their own boroughs, and considerations about a possible depreciation in the value of land weighed heavily on a Parliament of landlords. 'The justice and equity of the tax,' Lord Harcourt wrote, 'were admitted on all hands;' but the suspicion spread far and fast that it was the first step in a plan of the English Ministry to introduce a general land tax. The speech of Sir John Blaquiere appears to have been a model of adroitness. He rose ostensibly to support the measure. He had heard it, he said, very lately described as the salvation of the country, and he had not yet 'quite given up the idea,' though his faith may have been 'something staggered by the

[1] Hardy's *Charlemont*, i. 331. Chatham *Correspondence*, iv. 296. In the *Life of Flood*, however, by Warden Flood (p. 91), the tax is said to have been first proposed by 'Mr. Fortescue and Mr. Flood.' There are no Irish Parliamentary debates published for this period.

[2] 'It is not impossible that Flood will be the mover of the tax. It will bring him over to administration with a good grace. He will have one of the best horses of popularity in Lord Chatham's stables. He will have the merit of coming over to a Government entirely in an Irish interest.'—Burke's *Correspondence*, i 438.

variety of opinions which now obtain.' He felt that it was not for him, who had not a foot of ground in Ireland, to dictate to those who had so much, and he would therefore not attempt on a question which so vitally affected the value of the property of landowners to control votes or strain allegiance. 'I will lay my heart upon your table,' he concluded. 'Under the strange revolution of sentiment which this subject has already undergone, let it surprise no man if upon this occasion it is seen that my best friend and I divide on different sides of the House.'[1] Some of the leading interests in the House turned against the measure, and it was thrown out by 122 to 102. An attempt was made irregularly and by surprise to revive the subject, and the Attorney-General, to the great indignation of Harcourt, supported it. Flood appears to have spoken with more than common energy and power, and the Lord Lieutenant complained to North of 'the frenzy which at this moment seems to possess almost universally in favour of the measure, the mind of every member of the House of Commons,' but 'by most dexterous management,' and after a debate that lasted nine hours, the House was persuaded to acquiesce in its own previous decision, and the Absentee Tax was thus defeated in the Irish House of Commons without any open hostility on the part of the Government.[2]

This very curious episode was the most remarkable Irish event in the first year of the administration of Harcourt. Parliament soon passed into its usual habit of giving the Government on most questions an almost unanimous support, though on a few particular points it jealously maintained its independence of action. The Absentee Tax having failed, it was im-

[1] Enclosed by Harcourt to Rochford. Walpole, though he was aware that North had determined at the last moment to relinquish the tax, was quite ignorant of the secret policy of the Castle. He says that the tax was rejected in Ireland, 'though the Castle, all triumphant, and which had just had a majority of fifty, and had gained over Mr. Flood, the best orator and warmest patriot in the Opposition, had exerted all its strength to carry it.'—*Last Journals*, i. 273.

[2] Harcourt to North, Nov. 27 and Nov. 30, 1773. Harcourt writes:—'Mr. Flood was violent and able in behalf of the measure in a degree almost surpassing everything he had ever uttered before. It would appear as if he meant to take this occasion of utterly crushing to destruction the Duke of Leinster's party and Mr. Ponsonby, against the latter of whom he made such a personal attack as that poor gentleman, I fear, will never recover.'

peratively necessary to seek new resources, for between the Lady Day of 1763 and the Lady Day of 1773 the National Debt had increased from 521,161*l.* to 999,686*l.*[1] In order to meet immediate wants 265,000*l.* was raised by the method of Tontine Annuities and Stamp Duties, and several other new duties were imposed, which it was computed would probably add nearly 100,000*l.* a year to the revenue.[2] The House of Commons showed no indisposition to grant these supplies, but it showed great and general indignation when it found that its Supply Bills were largely altered in England. Friends of the Government and independent members were on this point perfectly agreed, and the two great Supply Bills were almost unanimously rejected. 'The conduct of the members,' wrote Harcourt, 'was moderate and respectful to Government,' but after 'their strenuous and liberal efforts to support the King's establishment in a time of difficulty and distress,' the alterations appeared, even to the friends of the Government, 'wanton, unnecessary, and unkind,' and it is evident that Harcourt himself leaned towards this opinion. The Commons having asserted their rights by rejecting the altered Bills, proceeded to re-enact them with new titles and in a form which embodied many of the amendments that had been made.[3]

As the difficulties of supporting the augmented establishment became more apparent, and especially after the rejection of the Absentee Tax, the commercial restrictions were more impatiently borne, and Pery, as Speaker of the House of Commons, at the close of the Session of 1773, in presenting the Supplies to the Lord Lieutenant, made a formal remonstrance on the subject.[4] A Habeas Corpus Bill was again carried in Ireland and again rejected in England,[5] and the question of the Perpetual Duties which had been granted under the Duke of Bedford on the Inland Carriage of Corn was again brought forward. The Home Government were extremely anxious that these duties should be wholly repealed, but Harcourt assured them that there were not ten members in the House of Commons who would vote for such a measure. Harcourt

[1] Commons' *Journals*, xvi. 249.
[2] Ibid. xvi. 332.
[3] [illegible] 25, 27, 30, 1773, Harcourt [illegible]rd. Jan. 14, 1774, Rochford to Harcourt.
[4] Commons' *Journals*, xvi. p. 332.
[5] March 6, 1774, Harcourt to Rochford.

appears to have taken infinite pains in the matter, and for several weeks he was engaged in constant private interviews with members of the House of Commons. At last, to his great delight, the House of Commons was induced partially to relieve the hereditary revenue of the burden, by passing a resolution to the effect that whenever the bounty on the inland carriage of corn exceeded 35,000*l.* in the year, Parliament should impose fresh taxes to make good the excess.[1]

This concession, however, which the Lord Lieutenant deemed a matter of vital importance, was largely due to the support the Government gave to a measure granting bounties upon the export of Irish corn to foreign countries when its home price fell below a certain level.[2] These bounties were below those which were given to English corn, so that the English corn merchant would still have an advantage in foreign markets, and the Act was limited to five years, but the Irish gentry believed the measure to be of extreme benefit to tillage. Flood appears to have taken a leading part in bringing it forward,[3] but it was solely due to the strenuous persistence of Lord Harcourt that the English Government were persuaded to accept it. 'I must take occasion to say,' he wrote in a confidential despatch to Rochford, 'that nothing can be so grateful to me, after having been the instrument of obtaining so much from this people, as to put it in my power to make them some return. For, notwithstanding the mode in which business has been conducted, gentlemen very well know how much they have strained the means of this country to satisfy His Majesty of their loyalty and attachment, and I am fearful they would not think themselves kindly treated if some return was not to be made.'[4]

The relations of Lord Harcourt with the Irish Parliament at the close of 1774 were as friendly as possible, and the two most conspicuous debaters in the House of Commons soon after received favours from his hand. Hely Hutchinson had for a long time disliked the profession of the law, and had desired to turn to

[1] March 15, 1774. Harcourt to Rochford. Commons' *Journals*, xvi. p. 502.

[2] 13 & 14 George III., ch. xi.

[3] Commons' *Journals*, xvi. 487.

[4] Private. March 15, 1774. Harcourt to Rochford. April 20, Rochford to Harcourt.

a wholly different sphere. The great position of Provost of Trinity College having fallen vacant, he asked for and obtained it, the statute which required that the Provost should be in holy orders being dispensed with in his favour. Hutchinson, on accepting this post, resigned the office of Prime Serjeant, and the sinecure of Alnager, as well as his professional practice; but in spite of these sacrifices, the new appointment did not escape severe and merited blame. There was a manifest impropriety in making the headship of a great University a prize to be given for mere Parliamentary services, and in passing over the claims of the resident fellows in favour of a man who had no experience in academic pursuits, and only a faint tincture of academic learning. Hutchinson continued to retain his seat in Parliament, and his name for some years longer occurs frequently in Irish politics.

A more important and a more contested appointment was that of Henry Flood, who, after a long period of negotiation, accepted in October 1775 the position of Vice-Treasurer. This very remarkable man had for some years been rising rapidly as a debater to the foremost place in the House of Commons. His eloquence does not, indeed, appear to have been of the very highest kind. It was slow, formal, austere, and somewhat heavy. When he passed, late in life, into the English Parliament, he failed, and Wraxall gave a reason for his failure which is so curious as indicating a great change that has taken place in national tastes that the reader must pardon me if I make it the text of a short digression. 'The slow, measured, and sententious style of enunciation which characterised his eloquence,' says Wraxall, 'however calculated to excite admiration it might be in the senate of the sister kingdom, appeared to English ears cold, stiff, and deficient in some of the best recommendations of attention.'[1] In truth, the standard of taste prevailing in Ireland, or at least in Dublin, during the first three-quarters of the eighteenth century, appears to have been as far as possible removed from the exaggerated, over-heated, and over-ornamented rhetoric which is so commonly associated with the term Irish eloquence. The style of Swift, the style of

[1] *Memoirs*, vol. iii. p. 587. This account is fully corroborated by Hardy.—*Life of Charlemont*, i. 279–280. See, too, *Parl. Hist.* xxiv. 58.

ley, and the style of Goldsmith are in their different ways
ɜ the most perfect in English literature, but they are
ɐ sometimes to the verge of baldness, and they manifest a
greater distaste for ornamentation and rhetorical effect
he best contemporary writings in England. Burke had by
ɐ one of the most exuberant of human imaginations, and
erary taste was by no means pure; but it is very remark-
that it was not until a long residence in England had
him indifferent to the canons of Irish taste that the true
ter of his intellect was fully disclosed. His treatise on
Sublime and Beautiful,' though written on a subject
lends itself eminently to ornamentation, is severe and
ɐ to frigidity, and his historical articles in the 'Annual
ter,' though full of weighty and impressive passages, do
how a trace of the gorgeous rhetoric which adorns the
ections on the French Revolution,' and the 'Letters on a
ide Peace.' With very different degrees of literary merit,
me quality of eminent simplicity and sobriety marks the
gs of Hely Hutchinson, of Hutcheson the philosopher,
nry Brooke, of Leland, Curry, Gordon, and Warner, and, as
ɐ already noticed, of the more important pamphlets of the

It represented, no doubt, in a great measure, the
on of the cultivated taste of the nation against popular
revalent faults, just as it is common to find among the
ious writers and critics who have in the present century
in America a severity of taste and of literary judgment
, fastidious purity of expression rarely equalled among
English writers.

ıe influence of this taste was naturally felt in Parliament.
ny Malone, who was long the most conspicuous man in
ish House of Commons, was described as possessing 'the
st head that ever conceived, and the sweetest tongue that
uttered the suggestions of wisdom;'[2] but his speeches
r to have been more like the charges of a great judge

am happy to be able to sup-
y judgment on this point by
gh authority of Sir James
ıtosh, who describes the writ-
Berkeley as 'beyond dispute
ıest models of philosophical
ince Cicero,' and adds, 'Per-
haps he also surpassed Cicero in the charm of simplicity, a quality eminently found in Irish writers before the end of the eighteenth century.'—Mackintosh's *Dissertation on Ethical Philosophy*, p. 214.

[2] *Baratariana*, p. 171.

than the harangues of a popular tribune. His contemporaries dwell upon the exquisite perspicuity and plausibility of his narrative, upon his rare power of clear, terse, and cogent reasoning, upon the entire absence in his speeches of passion, imagination, and rhetorical ornament.[1] Hely Hutchinson is said to have been the first person who introduced a polished and ornamental style of speaking into the Irish Parliament, and the highly imaginative, though eminently terse, eloquence of Grattan, the popular character which Irish politics assumed in 1782, the influence which Kirwan, and perhaps the early Methodist preachers, exercised upon the pulpit, all conspired to change gradually the popular type. It is probable, however, that of all the great orators who, in the present century, have adorned the British Parliament, the most severely simple, the most sternly argumentative was Plunket, who was born and educated in Ireland, and who first displayed his genius in the Irish Parliament.

Plunket was probably a greater orator than Flood, but the speeches of the latter, though marred by an Irish accent which had survived an Oxford education, by a cumbrous and pedantic taste, and by a deficiency in those lighter gifts which enable an orator to deal gracefully with small subjects, exercised an influence of the highest kind.[2] His power of conducting long trains of sustained, accurate, and intricate reason-

[1] The expressions of Cicero about Scaurus were quoted as peculiarly applicable to Malone. 'Gravitas summa et naturalis quædam inerat auctoritas, non ut causam, sed ut testimonium dicere putares cum pro reo diceret.' See Grattan's *Life*, i. 61–62. *Baratariana*, 171–174. Grattan's *Miscellaneous Works*, p. 117.

[2] Grattan said of him:—'He had great powers, great public effect, he persuaded the old, he inspired the young. . . .On a small subject he was miserable; put into his hand a distaff, and like Hercules, he made sad work of it, but give him the thunderbolt and he had the arm of a Jupiter.'—*Miscellaneous Works*, p. 118. Hardy says he was 'a consummate member of Parliament. Active, ardent, and persevering, his industry was without limits. In advancing, and, according to the Parliamentary phrase, driving a question, he was unrivalled. . . . When attacked he was always most successful. . . . His introductory or formal speeches were often heavy and laboured, yet still replete with just argument.'—*Life of Charlemont*, i. p. 279. Barrington thought him a greater reasoner than Grattan (*Rise and Fall of the Irish Nation*, ch. 17), but Hely Hutchinson, who was nearly always opposed to him, ridiculed his 'sevenfold phraseology,' and Eden —who, however, came in contact with him in the most unfortunate part of his career—was greatly disappointed with his speaking.—Auckland *Correspondence*, i. p. 319. His speech defending his whole career from the attack of Grattan in 1783 seems well reported and is certainly extremely able. There is a striking sketch of the life and character of Flood in the *Dublin United Magazine* for 1836.

his quickness and dexterity in reply, the measured severity s sarcasm and invective, and his consummate mastery of constitutional and financial questions which he especially ed, placed him at once in the foremost rank. One of the st of his contemporary admirers said of him that, on what- subject he spoke, 'he spoke with such knowledge, accuracy, perspicuity that one would imagine that subject had been chief object of his inquiry;'[1] and in the most brilliant od of the career of Grattan there were always some good es who maintained that in the more solid intellectual ities Flood was his superior. He had entered Parliament 759, during the administration of the Duke of Bedford, and early identified himself with three great questions, the tation of the duration of Parliament, the creation of a tia, and the assertion of the independence of Parliament, h was violated by Poyning's law, or rather, as was con- ed by Flood, by the interpretation which the judges in had placed upon that law. Like all Irish politicians, ever, his opposition was confined to a few special ques- s. He was an admirer and acquaintance of Chatham, and n Bristol became Lord Lieutenant, Flood declared his intention of supporting him, and seems to have been on point of taking office.[2] His attitude towards Townshend at first, very friendly, and Townshend, as we have seen, was cially anxious to secure his services. Flood maintained, ever, that the augmentation of the establishment was too y a burden for the finances; he tried to press his rival me of a militia, and after the sudden and final prorogation Parliament, he, for the first time, went into violent, con- t, and systematic opposition. His speeches against the ernment were then incessant and very bitter, and he drew most of the protests that were entered in the Journal of House of Lords. The main object of the opposition at time was to compel the recall of Townshend, and when court came over, the party naturally dissolved. After e hesitation and long negotiation, Flood abandoned all

[1] Langrishe in *Baratariana*, p. 50.
[2] Chatham *Correspondence*, iii. 166–167.

attempts at opposition, and accepted the great office of Vice-Treasurer.

Inquiries into the secret motives that governed politicians are usually among the most worthless and untrustworthy portions of history. Except in the case of a very few of the most conspicuous figures, our materials for deciding are utterly inadequate, and the best contemporary judgments are largely based upon indications of character which are much too subtle and evanescent to pass into the page of history. Looking, however, at the facts as they have been stated, it is not easy to see why the conduct of Flood, in accepting office, should have been stigmatised as dishonourable. At no period of his life had he entered into an engagement not to do so. The violent and systematic opposition in which he was engaged during the latter part of the administration of Townshend grew out of the distinctive policy of that Viceroy, and naturally terminated with his recall. It was, no doubt, true that Poyning's law could not be discussed by a statesman in office, but in the state of parties in 1774 there did not seem the smallest probability of discussing it with effect. The limitation of Parliament had been secured. A militia was hardly needed, since the establishment had been augmented, and although Charlemont strongly maintained that a permanent and well-organised opposition was essential to the healthy growth of the Irish Constitution,[1] the fact remained that after the recall of Townshend such an opposition did not exist It was surely open to an honest politician to contend that, under these circumstances, he could gain more for the country by co-operating with the Government than by opposing it. The government of Harcourt was certainly not deserving of unqualified reprobation. The reunion of the divided revenue board, the A sentee Tax, and the bounty on the exportation of corn were three measures in which Flood took a keen interest. They were all of them ostensibly supported, and two of them were actually carried by the Government. By accepting the office of Vice-Treasurer, Flood broke the custom which reserved that post for Englishmen. He obtained a seat in the Privy

[1] *Original Letters to the Right Hon. Henry Flood*, p. 82.

Council where questions of vital interest to Ireland were decided, and he might very reasonably expect a great extension of his influence. To his own friends he justified his conduct by the utter impossibility of inducing any considerable body of men to remain in steady opposition after the recall of Townshend. 'The only way,' he said, 'anything could be effected for the country, was by going along with Government, and making their measures diverge towards public utility.'[1] He spoke also of the advantage of restoring to the kingdom a great office which had been alienated from it, and his public language, when he was called upon, some years later, to defend his conduct, is perfectly consistent with these views. Charlemont, whose own character was of the highest kind, and who had hitherto been one of the most intimate friends and one of the warmest admirers of Flood, never forgave him for having accepted office; but he acknowledged that his 'chief' reason was the incessant falling off of his party after the recall of Townshend, and 'the belief that by accepting a great and apparently ministerial office he would be more able to serve his country.'[2] It is difficult to see why reasons so plausible, and indeed so cogent, should not have been deemed sufficient.

The truth is, that there was much in the public character and in the subsequent career of Flood which led men to judge him with severity. By the lowest form of political temptation he does not seem to have been seriously influenced. It was, no doubt, sometimes said that his object was to repair the waste which a recent election had made in his estate; but those who knew him best appear to have agreed that money was no consideration to him, and in this respect, indeed, a childless man, with a fortune of about 5,000*l.* a year, in Ireland, and in the eighteenth century, was not much tempted. Nor was he ever accused of seeking or desiring a peerage, which was the usual bribe held out to rich country gentlemen. His prevailing fault was an excessive love of power and reputation, which led

[1] Grattan's *Life*, i. 206. So on another occasion he said 'that no good could be done for Ireland without taking office; for the influence of the Crown was so great it was not possible to oppose it, and the only way to serve the country was to serve her when in office.'—Ibid. iii. 342.

[2] *MS. Autobiography.* The independent judgment of Hardy is much the same. See his *Life of Charlemont*, i. 356–358.

him extravagantly to overrate his own political importance, to exaggerate his services, to look with great jealousy on any competitor for fame, and to aspire on all occasions to exercise an absolute influence on those about him. In private life, his hospitable and convivial manners, his love of field sports, his excellent classical scholarship, his great patience under contradiction and his very considerable conversational powers made him generally popular; and Burke, Charlemont, and Grattan were at one time among his friends. But in public life a strong personal element seems to have always mixed with his politics. He was jealous, domineering, irritable, easily imagining slights, prone to take sudden turns of conduct through motives of personal ambition or personal resentment, more feared than trusted by those with whom he acted. The story of his negotiation for office, as it is related in the confidential letters of Harcourt and Blaquiere, leaves a very unfavourable impression on the mind, though allowance should be made for the fact that we have not got his own account of the transaction, and that some of the letters from the Castle were written under the influence of great irritation. Immediately after the death of Provost Andrews, Harcourt wrote to Rochford recommending Hely Hutchinson for that post, and proposing that the sinecure office of Alnager, hitherto held by Hutchinson, should be bestowed on Flood during his Majesty's pleasure, with a salary of 1,000*l.* a year. 'By these arrangements,' he said, 'the great and ancient office of Alnager, which is now granted for years, will be brought back to the Crown, and Government will obtain the assistance of a gentleman of powerful abilities by the acquisition of Mr. Flood. . . . The attainment of all these great points at the charge of 1,000*l.* a year, an expense so inconsiderable, . . . will, I flatter myself, be thought very good economy.'

Flood, however, not unnaturally considered an offer which placed him in a position so completely subordinate to that of Hutchinson, as little less than an insult, and an insult aggravated by a direct breach of promise. 'Mr. Flood,' writes Harcourt, 'is greatly offended that the Provostship was not offered to him. I saw him yesterday, and he complained most bitterly of the treatment he had received from Government, laying the greatest stress on the promise Mr. Blaquiere had made him that he should

have the first great office that became vacant. . . . Mr. Flood took occasion to set forth his important services, which he thought very justly entitled him to the preferment, which had been given to Mr. Hutchinson without even making him a tender of it, though he did not declare whether he would have taken it if it had been offered to him. He laid great stress on the difficulties and obstructions which he could have thrown in the way had he been disposed to be adverse. . . . In answer to what I had said of Mr. Hutchinson resigning two good employments in order to be Provost, he observed he had made as great, if not a greater, sacrifice, meaning his popularity and reputation, which he had risked in support of Government, which now treated him with a degree of contempt that determined him never more to have any concerns with the Castle . . . that paid so little regard to engagements. . . . It would be a lesson for everybody to be very cautious for the future in their dealings with ministers. He said he could make it appear that he had saved the Crown more than five times the value of the favour he asked.' It appears, however, that Flood had already mentioned the office of Vice-Treasurer; and Harcourt, without venturing to hold out any strong hopes, freely acknowledged the obligations of the Government. 'I told him,' he says, in relating the interview to North, 'I thought the faith of Government was pledged to make an ample provision for him; and if it was not done, I should be ready to acknowledge he had been deceived and ill-used.' He had been from the beginning fully determined, he tells Lord North, not to offer Flood the Provostship, for this was an immovable office of great influence, and it might have made him extremely formidable to the Administration, but he clearly foresaw when he recommended Hutchinson for the Provostship that he would be 'reduced to the necessity of urging Mr. Flood's request to be one of the Vice-Treasurers.'[1]

The three Vice-Treasurers for Ireland only held their offices during pleasure; but their position was one of great emolument and dignity, and it carried with it the rank of Privy Councillor in both countries. The system, however, still prevailed in full force of making lucrative offices paid out of Irish revenues rewards for English politicians living in England. This had,

[1] Harcourt to Rochford, June 19. To North, July 8, 1774.

indeed, of late been done with unusual audacity, for Gerard Hamilton and Rigby, neither of whom had any permanent connection with Ireland, had been made, the first, Irish Chancellor of the Exchequer, and the second, Irish Master of the Rolls for life. North admitted that these appointments were abuses, but few things could be more disagreeable to him than to relinquish any of the great prizes which were employed, according to old and well-established custom, to win or maintain English parliamentary support. 'I am very sensible,' he wrote, 'that Mr. Flood has good pretensions to as considerable an office as the Vice-Treasurership of Ireland, or indeed, to a better. My sole objection to his having it, I will freely confess, is that I fear much blame here, and no small difficulty in carrying on the King's business, if I consent to part with the disposal of these offices which have been so long and so uniformly bestowed upon members of the British Parliament.' He considered it scarcely possible to grant the request of Harcourt, and he suggested that the ancient office of President of Munster might be revived as a sinecure, and with a large revenue attached to it.[1]

Harcourt, however, persisted in his request. He asked whether it would not be 'advisable to secure Mr. Flood almost at any expense, rather than to risk an opposition which, conducted by a man of his abilities, may render the success of Administration more precarious.' Even judging the question 'merely upon the point of public economy, putting the considerations of confidence in Government, justice for past services, and good faith totally out of the case,' it was far better to give a great office to Flood than to risk the new duties which had just been carried, and 'put an able and most active man at the head of a numerous opposition, the last session of an Octennial Parliament.' 'There can be no danger of lessening the patronage of England by lending an office for a short time, and for a very particular purpose, to support his Majesty's Government in Ireland. Successive governors must necessarily bring back to England all or most of the considerable offices of this country by the very nature of its government.' The idea of reviving the Presidency of Munster he considered wholly

[1] North to Harcourt, June 23, 1774.

impracticable. The President of Munster was a kind of provincial Lord Lieutenant, with his judges, generals, army, and Privy Council, and his position was totally incompatible with the system of Government since the Revolution. Nor could a revival of obsolete and useless offices be safely attempted. 'I am persuaded,' he wrote, 'it would be easier and safer to expend 10,000*l.* in additional salaries to insignificant places now subsisting than to revive one great office grown obsolete and annex but 2,000*l.*' 'I may presume to say that the acquisition of Mr. Flood, circumstanced as things are, cannot be purchased at too dear a rate.' Considering 'the great abilities of this gentleman, and all the powers he is possessed of, how formidable he has been to former administrations, and how much more so he may be hereafter; . . . his terms, however great and exorbitant they may appear, are little in comparison to the trouble he may give, or even of the expense that may be incurred on his account, if no method can be devised to engage his service.'[1]

North yielded to the request of Harcourt, and at length authorised him to offer the Vice-Treasurership to Flood. To his extreme astonishment and indignation, however, Harcourt was met with a direct refusal. Flood declared that he had been promised the first great office that fell vacant, and should therefore have succeeded to the Provostship, and that he would not accept an office from which he might be dismissed at any moment. After considerable discussion he at last said that, owing to his regard for Lord Harcourt, he was willing to waive his just claim to a more desirable situation, and to accept the Vice-Treasurership in case it placed no additional burthen on Ireland.[2]

The indignation and perplexity of the Irish Government were very great, for arrangements had already been made to make room for Flood. Jenkinson, who had been Vice-Treasurer, had just been induced to resign his office; he had received as compensation the office of Clerk of the Pells,[3] which Charles Fox had inherited from his brother in 1774,[4] and Fox, in his

[1] Harcourt to North, July 8, Sept. 3, 1774. June 7, 1775.

[2] Ibid. August 13, 1775.

[3] Irish Commons' *Journals*, xvii. 233.

[4] Fox's *Correspondence*, i. 136.

turn, had been compensated by a sum of 30,000*l.* and also by an Irish pension of 1,700*l.* a year, tenable for thirty-one years.[1] There is a considerable obscurity hanging over this episode, which appears to have escaped the notice of the biographers of Fox, but it is certain that the pension was very soon surrendered,[2] probably because it was found that it was not compatible with a seat in the English Parliament.[3] In the meantime, however, the main object for which these changes were made appeared to have failed, for it was quite certain that the English Government would not compensate Jenkinson or Fox out of English revenues. At Harcourt's earnest request, the office was kept open, and North wrote expressing his strong hope that Flood would accept it; but he added, 'he certainly could not expect us to turn out a Vice-Treasurer to make room for him. He must have foreseen that no equivalent could be granted to any of the existing Vice-Treasurers without the creation of a new pension, and he probably knew that his Majesty, even if he were inclined to burthen the British revenue for the sake of this Irish arrangement, could not have done it to any good purpose, as he has no fund except in Ireland which

[1] This was mentioned by Rockingham in the English House of Lords in 1779. *Parl. Hist.* xx. 1174. I have not been able to trace the source from which the 30,000*l.* was derived. For the pension, see Irish Commons' *Journals*, xvii. 116.

[2] It was surrendered on June 20, 1776.—Ibid. xviii. 292.

[3] Sept. 19, 1775, North wrote to Blaquiere, 'I suppose you have heard of Mr. Fox's difficulty about his pension. It seems that no man holding a pension during pleasure or for a term of years, can sit and vote in Parliament without being liable to pay 20*l.* a day. I do not know what method he will take to secure himself. As to myself I shall certainly not molest him, but he will be in continual danger of being disturbed, and indeed of being expelled, as by another Act no person in his circumstances is capable of being elected. In truth I believe he is utterly disqualified from sitting in Parliament by his acceptance of the pension. This you will keep secret, for, though I fear it will be known, it ought not to be known by you or me.'—Blaquiere, in his reply (Sept. 27, 1775), says that Fox had asked his opinion on the question of the compatibility of a pension with a seat in Parliament, and Blaquiere had professed his ignorance. 'Had this matter passed over in silence,' he adds, 'I confess to your Lordship it would have given me some uneasiness, and to your Lordship, I am sure, no satisfaction. I would not wish to have the credit of having overreached Mr. Fox, or of having surprised any man, nor should I have expected—I am sure I should not have received—your Lordship's thanks for dealing in this manner even with your enemy, but the transaction was all fair and above-board. What Mr. Fox has done was with his eyes open. . . . . I shall be careful, however, to keep the thing secret as you so properly direct. It certainly should not stir from these corners, though it will be very curious to see the event.' Considering that Fox was at this time in violent political opposition to North, this whole episode is very curious.

he can charge for lives or years with a pension sufficient for accomplishing the point in view.' The proposed arrangement appeared to North very reasonable, 'especially as there have been lately extinct upon the Irish establishment more annuities than enough to reimburse Mr. Fox's pension.'[1]

After a delay of about three months, Flood consented to accept the office of Vice-Treasurer on the terms of the Government. The letter to Harcourt in which he announced his intention has been fortunately preserved. He urgently exculpates himself from the charge of having caused the Vice-Treasurership to be vacated, and Fox's pension to be granted. These steps, he said, had been taken after he had written to Harcourt that he must not be considered pledged to take office, and after he had expressly informed Jenkinson that he would not accept the Vice-Treasurership. The Lord-Lieutenant, however, was in a very embarrassing position in consequence of the vacancy that had been created, and he himself was anxious to lighten the burden to the country. Under these circumstances, Flood had declared himself willing to take the office, but only on the condition that the additional burden of Fox's pension should not be imposed on the Irish revenue. 'In a subsequent conversation,' he continues, 'Mr. Jenkinson stated that by a retrenchment of 1,000*l.* a year, viz. the additional salary of the Alnager, Mr. Fox's pension would be counterbalanced all but 700*l.* a year; and that by your raising of the Absentee Tax the net burden of the whole pension would be but about 350*l.* To this state of the matter, the restoration to the kingdom of a great office with a considerable salary was to be added, which in one light was a point of decorum and dignity to the country, and in another was a point of pecuniary advantage and national saving.' On these grounds Flood thought it right to accept the office. At the same time, he begged Harcourt not to break off any negotiation North might have entered into for a different disposal of it.[2]

Harcourt concluded the negotiation with much alacrity, but also with considerable irritation. 'Since I was born,' he wrote

[1] North to Blaquiere, Sept. 19, 1775.

[2] This letter will be found in Warden Flood's *Life of Henry Flood*, pp. 106–108.

to North, 'I never had to deal with so difficult a man, owing principally to his high-strained ideas of his own great importance and popularity. But the acquisition of such a man, however desirable at other times, may prove more than ordinarily valuable in the difficult times we may live to see, and which may afford him a very ample field for the display of his great abilities.'[1]

I have related this episode at considerable length, for it vitally affects the reputation of a man who, though now sinking rapidly into forgetfulness, played in his day a great part in Irish constitutional history, and commanded the warm admiration and respect of some of the best of his contemporaries. It is evident that the Viceroy considered him pretentious and impracticable, and attributed to him that common fault of politicians, a desire to increase his importance by rendering himself troublesome and formidable to those in office. It is, I think, equally evident that there was nothing in the antecedents or professions of Flood that made it improper or dishonourable for him to desire office, and that by bringing back to Ireland the dignity and emolument of vice-treasurer, which had hitherto been reserved for English politicians, he was rendering a real service to his country. Nor does it appear to me that there was anything either unusual or very reprehensible in the deter mination of a first-class politician to accept only an important office. If Irish politics had gone on in their accustomed grooves, or if Flood had resigned his office when they assumed a new aspect, the appointment would probably have excited no blame. But the American war, with its long train of Irish consequences, speedily broke out. Flood had wished, as early as 1776, to transfer his talents from Ireland to the English Parliament, where he was prepared to support the policy of North, but his overtures for a seat were unsuccessful.[2] He remained in Ire land; for seven years he was silent in office, while the questions which he had first brought forward were rising rapidly to the front, and when at last he broke loose from the government, he found that his place was filled and that he was no longer trusted and followed as of old. In the very session in which he

[1] Harcourt to North, Oct. 9, 1775.
[2] North to Harcourt, March 23, 1776.

accepted office, his great rival Grattan took his seat in the Irish Parliament.

A few slight commercial concessions were in the same session granted by England. The Newfoundland and some other fisheries, from which Irish fishermen had hitherto been excluded, were thrown open to them. The prohibition of the exportation of woollen manufactures was so far relaxed that the Irish were permitted to furnish the clothing of their own troops when they were stationed out of Ireland. The importation of rape-seed into Great Britain was, under certain regulations, permitted, and a small bounty was granted by Great Britain upon the importation of flax into Ireland.[1]

The last measure was due to a rapid decline in the linen trade which had begun to threaten very serious consequences to the nation. As we have already seen, it had been at the time of the Revolution the policy of England to extirpate the woollen manufacture which was the staple industry of Ireland, and to encourage as a compensation the linen and hempen manufactures, which were then exceedingly insignificant, but which, it was supposed, could not interfere with English industries. As we have also seen, the promise which was held out of a steady encouragement of these manufactures was not fulfilled.[2] The manufacture in Ireland of the finer kinds of linen was not only not encouraged, but was crushed by severe disabling laws. The manufacture of Irish sailcloth was abandoned in consequence of the hostile legislation of the English Parliament, and the promised encouragement was confined to the simplest and coarsest kinds of Irish linen, which were admitted to the colonial market, and which, for the twenty-nine years preceding 1774, had even received English bounties upon export, averaging somewhat less than 10,000*l.* a year. By these bounties, by a steady application to this single manufacture for the space of seventy years, and by premiums granted by the Irish Parliament, which amounted during that period to not less than 500,000*l.*, the Irish linen manufacture, within the narrow limits that were assigned to it, had attained a considerable prosperity, and it continued to increase till 1771, when an

[1] Commons *Journals*, xvii. p. 10; Macpherson's *Annals of Commerce*, iii. 576, 577.

[2] Vol. ii. p. 212.

alarming decadence began which continued with accelerated rapidity during the next two years. Many causes were assigned for it, one of the principal being the interruption of commerce due to the rising troubles in America. Robert Stephenson, who was inspector of the linen manufacture in Ireland, being examined before a Committee of the House of Commons in 1774, stated that more than one-third of the weavers through the whole kingdom were unemployed, that in the co. Longford where 20 years before 2,000 looms were at work, there were at present less than 20, that not less than 10,000 Irish weavers had within the last two or three years emigrated to America, and that great numbers of others had turned day labourers or were sunk in the deepest distress.[1]

Events which were destined to exercise an extraordinary influence over Irish politics were now rapidly hastening on. The American dissensions had all but reached their climax, and there were great numbers in Ireland who regarded the American cause as their own. Already the many disastrous circumstances of Irish history had driven great bodies of Irishmen to seek a home in the more distant dominions of the Crown. The island of Monserrat is said to have been entirely occupied by planters of Irish origin; at least a third of the planters of Jamaica were either Irish or of Irish origin;[2] and great districts of the American colonies were almost wholly planted by settlers from Ulster. But this was by no means the only interest which Ireland had in the colonial struggle. Never before had the question of the relations of the mother-country to its dependencies been brought before the world with such a distinctness of emphasis and of definition. The Irish party which followed the traditions of Swift and Molyneux had always contended that, by the ancient constitution of their country, Ireland was inseparably connected with the English Crown, but was not dependent upon, or subject to, the English Parliament. By Poyning's law a great part of the independence of the Irish Parliament had indeed been surrendered; but even the servile Parliament which passed it, though

[1] See the report of the Committee of the House of Commons—Commons' *Journals*, xvi. 387–418. Macpherson's *Annals of Commerce*, iii, 546.

[2] Ibid. iii. 647.

ıding by its own authority to Ireland laws previously ɔed in England, never admitted the right of the English ament to make laws for Ireland. English lawyers had times asserted and sometimes denied the existence of a right, but the first explicit text in its favour was the ıratory Act of George I. by which the English Par- ɔnt asserted its own right of legislating for Ireland.[1] It precisely parallel to the Declaratory Act relating to rica which was passed when the Stamp Act was repealed. oth cases the right was denied, but in both cases the ; majority of politicians were practically ready to ac- ɔce, provided certain restrictions and limitations were ɔed to them. The Americans did not dispute the power of English Legislature to bind their commerce and regulate affairs as members of an extended empire, as long as they untrammelled in their local concerns and were not taxed ɔt by their own representatives. The position of most politicians was very similar. The Irish Parliament lated for the local concerns of Ireland, and it still retained great jealousy a certain control over the purse, which it y looked upon as incomparably the most important of its ɔgatives. This control was, it is true, much less com- ɔ than that which was possessed in England by the English ıament. The great changes affecting the revenue which been made in England at the Revolution of 1688 had not

Bacon and Sir Richard Bolton affirmed that no English Acts in force in Ireland unless they een confirmed by the Irish Par- nt. An English statute (2 Rich. .2, *a*) expressly asserts, 'Hiber- ıabet parliamenta et faciunt et nostra statuta non ligant eas, non mittunt milites ad parlia- ım,' and Charles I., in his answer e Catholic delegates in 1643, ssly admitted that the sole right ɔ Irish Parliament to legislate eland had been uniformly recog- ever since the conquest under y II. (Carte's *Ormond*, i. 409). ıe other hand, there were many periods during which no par- nts were sitting in Ireland, many instances in which the sh parliaments did actually legislate for Ireland. Usually, how- ever, if not always, the Irish Parlia- ment re-enacted or confirmed those laws. Camden and Sir John Davies both maintained that in the earliest period of the English occupation of Ireland the English Parliament legis- lated for Ireland, and Coke strenuously maintained that it could lawfully bind Ireland by its Acts. After the Re- storation this appears to have been the general doctrine among English lawyers. Two great fires (in A.D. 1300 and in 1711) destroyed a great part of the early Irish records, and greatly added to the perplexity of the subject. See the very learned essay of Monck Mason *On the Antiquity and Consti- tution of Parliaments in Ireland* (Dublin, 1820).

extended to Ireland. The hereditary revenue was beyond the control of Parliament, but the other portions of the Irish revenue could not be levied without a parliamentary vote, and the hereditary revenue was not sufficient for the government of the country. Nearly every important concession which had been won had been granted in order to induce the Irish Parliament to raise additional supplies, and the extraordinary efforts and sacrifices the executive was prepared to make to secure this end sufficiently showed that in the eyes of English statesmen the power rested with the Irish Parliament alone. The importance which both sides attached to the question of supply was manifested on the one hand by the tenacity with which the Privy Council clung to its very useless prerogative of originating or altering Money Bills, and on the other hand by the determination with which the most submissive Parliaments rejected the Money Bills which had been thus originated or amended. Sometimes the majority were perfectly prepared to acquiesce in the substance of the amendments of the Privy Council; but in that case the principle was formally asserted by rejecting the altered Bill, and it was then introduced afresh as a new Bill and with a new title.

There was, as we have seen, one important difference relating to taxation between Ireland and the colonies, which was all to the advantage of the former. Ireland possessed a Parliament which was capable of taxing the whole country, and which had very recently levied taxes for imperial purposes much beyond the power of the nation to support. In America no taxes for imperial purposes were raised, and it was only possible to raise them by the concurrence of a great number of provincial legislatures.

This, however, affected only the question of expediency, but not the question of right. It was plain to demonstration that if the English Parliament could establish its right to tax the colonies without their consent, it must possess a similar power in Ireland. If it be true, as was asserted by the Government, that a power to legislate for a country necessarily implies a power to tax it; if it be true that there is no distinction in principle between a law of commercial regulation and a law *levying* a direct tax; if it be true that in the constitution of the

British Empire there is no natural and necessary connection between representation and taxation, Ireland could not possibly resist the conclusion. The English Parliament had asserted in the most unqualified terms its right to legislate for Ireland, and it had exercised that right by regulating every portion of Irish commerce. The defeat of America would at once establish the principle that Ireland might be taxed by an assembly sitting in London, and, if this were done, every power of constitutional resistance, every vestige of constitutional liberty, would be destroyed. The spirit of prerogative in England was rising higher and higher, and if it were flushed by a great triumph in the colonies, it was difficult to assign limits to its progress. It was the deliberate opinion of some of the wisest English statesmen, that the defeat of America would be followed by the destruction of English freedom. It was much more certain that it would establish a principle and a precedent that would be fatal to the liberties of the dependencies.

The impossibility of leaving the question in its former undecided condition was widely felt. The 'Commentaries on the Laws of England' were published in 1765, and had already attained an extraordinary reputation, and in this great work Blackstone had asserted, without any qualification or restriction, the right of the British Parliament to bind Ireland by its laws.[1] Rigby, and some other members of the English House of Commons, had maintained in express terms the right of the British Parliament to tax Ireland without her consent,[2] and a large section of the English Opposition countenanced the doctrine by their silence. The Rockingham party refused to join Chatham in denying the right of England to tax America, though they were ready to concur in its inexpediency. They had themselves carried the declaratory law relating to America. They accepted the doctrine that a power of legislating includes a power of taxing, and Rockingham, at least, was of opinion that England, by virtue of the Declaratory Act of George I., had a full right to tax Ireland, though it would not be expedient for her to exercise it.[3] On the other hand, we have

[1] Introduction, sec. 4.

[2] *Annual Register*, 1775, p. 1 9, 359–361. Walpole's *Last Journals*, i. 355,

[3] Albemarle's *Life of Rockingham*, ii. 254, 255.

already seen how the conviction was rapidly growing among the colonists that they could only secure themselves from being taxed by the British Parliament by denying altogether its authority in America, how the treatise of Molyneux in defence of Irish liberty was becoming the text-book of American freedom, how Franklin was exerting all his powers to prove that, though America was undoubtedly subject to the English king, it owed no allegiance to the British Parliament.

These considerations are sufficient to show how directly and vitally the Irish were interested in the contest that was waging in America. The independent and patriotic party was still small, but it was daily strengthening throughout the country in numbers and in courage.

As early as 1765, Charlemont and some other peers had protested against the Act restraining the export of corn, 'because, although the crowns of England and Ireland be united, yet Ireland is a distinct kingdom, and, as such, has a distinct and separate executive, as well as a distinct and separate legislature. But the proper and distinct executive of this kingdom is his Majesty, as king of Ireland, or his substitute, or substitutes, with the Privy Council of Ireland.'[1] From the beginning of the discussion on the Stamp Act, Charlemont and several other Irish politicians had been watching it eagerly in the interests of Ireland.[2] In 1771 Benjamin Franklin visited Dublin, and he has thrown a casual but vivid ray of light upon Irish affairs. Having visited the leading patriots in the Irish Parliament, 'I found them,' he says, 'disposed to be friends of America, in which I endeavoured to confirm them with the expectation that our growing weight might in time be thrown into their scale, and by joining our interests with theirs, a more equitable treatment from this nation [England] might be obtained for themselves as well as for us.' 'There are many brave spirits among them,' he continued. 'The gentry are a very sensible, polite, and friendly people. Their Parliament makes a most respectable figure, with a number of very good speakers in both parties and able men of business. And I must not omit acquainting you that, it being a standing

[1] Hardy, i. 222.

[2] *Parl. Hist.* xvi. 96.

ule to admit members of the English Parliament to sit (though hey do not vote) in the House among the members, while thers are only admitted into the gallery, my fellow traveller, eing an English member, was accordingly admitted as such. But I supposed I must go to the gallery, when the Speaker tood up and acquainted the House that he understood there vas in town an American gentleman of (as he was pleased to ay) distinguished character and merit,' and he asked that Franklin should be admitted to sit among them, which was manimously granted. Franklin ever after retained a feeling f friendship for Ireland, and he desired that she should be, f possible, excluded from the non-importation agreement.[1]

In 1775 the Americans issued a special address to the Irish, urging the identity of their interests; and in the same year Chatham asserted that Ireland on the colonial question was vith America 'to a man.'[2] The Presbyterians of the North vere fiercely American, and few classes were so largely repre-ented in the American army as Irish emigrants.

In Parliament, however, this feeling was only very feebly epresented. The opposition which had grown up under Lord Townshend had almost wholly melted away. Harcourt had ucceeded in attaching to his Government nearly every man vho possessed considerable parliamentary influence, and the old raditional feeling, which had always led the Irish Parliament nd the Irish gentry in times of danger to subordinate every ther consideration to the support of the mother country, was till alive. Blaquiere, indeed, warned the Home Government hat no more money could be raised in Ireland by taxation, hough, by improving the regulation of the revenue, it might e made more productive, but at the same time he declared in he most emphatic terms that the Irish Parliament was ready o make any sacrifice for England.[3] In the summer of 1775

[1] Franklin's *Works*, vii. 557–558. June 30, 1774, he wrote to his son:—I should be sorry if Ireland is included in your agreement, because hat country is much our friend, and he want of flax-seed may distress hem exceedingly. . . . It can only e meant against England, to ensure a hange of measures, and not to hurt reland, with whom we have no quarrel.'—Albemarle's *Life of Rockingham*, ii. 300.

[2] Thackeray's *Life of Chatham*, ii. 286.

[3] 'You may ask the people for taxes, and they will give them. Impressed with a just sense of your attention to this kingdom, I think there are few things you can ask and which you will not find them disposed

recruiting was very active in Ireland. Circular letters were sent to the principal noblemen; Lord Shannon and Lord Bellamont subscribed additional bounties for recruits; Lord Kenmare and the other principal Catholic gentry took the same course, and the Catholics of Limerick came in such numbers to take the oath of allegiance before the Mayor and Sheriff that the ceremony of swearing them in could not be completed in one day.[1] Rochford wrote to Harcourt urging him to leave no effort untried. '2,000 or 3,000 men are essentially requisite to be sent with the utmost expedition to America. Every means must be used, every effort made to add a very considerable and effectual body of troops early next spring to the army in America. . . . It is not judged practicable at the present moment to spare any troops out of this kingdom, there being only nine battalions of foot besides the Guards now in it; nor is there time to draw any this year from Minorca and Gibraltar, so that Ireland alone can supply what is now so necessary towards resisting the unnatural and open rebellion which exists in so important a part of his Majesty's dominions.' 'The English ministers,' he adds, 'trust the Irish will exert their well-known and affectionate zeal and spirit in supporting his Majesty's Government in an exigency of such particular importance, in which all other considerations, of how much weight soever they are in themselves, and which have been at other times strictly attended to, must and ought to yield to the actual unavoidable necessity,' and he maintained that five regiments must be taken from Ireland before the deficiency can be supplied.[2]

Under these circumstances the Irish Parliament met in October 1775, and Harcourt, in his speech from the throne, noticed the rebellion existing in America, and called upon the Irish Parliament to assist in its suppression. An address was

to give you, but it would be all in vain, the country is unable to pay them. Much may be done by regulation—little, I fear, by taxation.'—Blaquiere to North, Sept. 27, 1775. 'The Irish give you themselves—their all—and they would give you their money if God had granted them any to give.'—Ibid. Dec. 13, 1775.

[1] Harcourt to Rochford, Sept. 1, 30, 1775. Harcourt says Lord Shannon's bounty 'will have a very good effect, not only in accelerating the recruiting service, but in preventing the effects of any clamours that might prevail if none but the Roman Catholics had shown a zeal and readiness to forward the service at this juncture.' See, too, the *Correspondence of George III. with Lord North*, p. 268, and Lord Bellamont to Blaquiere, Aug. 15, 1775.

[2] Rochford to Harcourt, Aug. 1, 1775.

once drawn up in reply expressing the 'abhorrence' and ndignation' with which the Parliament heard of the disrbances in America, and pledging themselves to show their nost devoted and inviolable attachment to his Majesty's cred person and Government in the assertion of his just ghts, and in the support of his legal authority.' Usually ch addresses passed unopposed, but on this occasion a most rnest and persistent opposition was made. 'The debate,' arcourt wrote, 'was conducted with great violence on the rt of the Opposition.' An amendment strongly urging the cessity of 'conciliatory and healing measures for the removal the discontent which prevails in the colonies,' was deated by 92 to 52, and an amendment expunging the words hich stigmatised the conduct of the Americans by 90 to 54, d the original address was carried.[1]

The Opposition included Ponsonby, the connections of the ke of Leinster, and some county members; and Langrishe, o had already written ably for the Americans, and Yelverton, o was afterwards one of the most faithful colleagues of rattan, were prominent on the same side. Grattan himself d not enter the House till three months later. The abstenon of more than half the members of the House of Commons a question so vitally important is remarkable, and it was probly in some degree due to the American sympathies of many embers who owed their seats to great borough owners now alliance with the Government, and who were, therefore, acrding to the received code of parliamentary honour, precluded om voting against the Ministers. Harcourt was under no usion about the strength of the American feeling in Ireland, d he had forced on the question at the earliest possible oment. 'I saw the moment approaching,' he wrote, 'when is important question would have been pressed upon me by e Opposition to the King's Government in this country, who re daily gaining strength upon this ground, with such adntages that I should have had great difficulty in resisting it. . . The Presbyterians in the North (who in their hearts are nericans) were gaining strength every day.' Letters had en written from England urging Ireland 'to take an adverse

[1] Commons *Journals*, xvii. 14–15. Harcourt to Rochford, Oct. 11, 1775.

part in the contest.' 'I have never,' he concluded, 'passed moments so happy as those have been since the question was determined.'[1]

The triumph was indeed a great one, and the majority of the Government was overwhelming. A new resolution directed against the Dyson pension was defeated by 94 to 70. A resolution asserting, what appears to have been perfectly true, that so many men had been drafted from Ireland that the promised 12,000 soldiers were even now not to be found in the kingdom, was, after much discussion, withdrawn. 'Mr. Flood, I am told,' wrote the Viceroy, 'spoke most eloquently, and his performance was allowed to be very great and able. He seems to be very cordial, and will, I make no doubt, prove a very important acquisition to His Majesty's service.' Without a single dissentient vote, generals who had regiments in Ireland were exempted, when on duty out of Ireland, from the tax of 4*s.* in the 1*l.* imposed on absentee placeholders, and finally, in accordance with an urgent message from Harcourt, the House agreed, in consideration of the great dangers that menaced the Empire, to permit 4,000 of the troops who were appointed by statute to remain in Ireland for its defence, to be withdrawn from the kingdom. In order to induce the House to take this step, the Government promised that during their absence from Ireland they should be paid from the Imperial treasury, and it was hoped that the measure would, in consequence, relieve the grave financial embarrassments at home. The Government offered to replace the troops that were withdrawn, as soon as possible, by foreign Protestants, without any expense to Ireland, but the offer was thankfully declined.[2]

In this manner, to the bitter indignation of a small group of independent members and in defiance of a strong Protestant opinion in the country, Ireland was committed to the American struggle. 103 members supported, and 58 opposed the Government. Flood defended the measure in a speech in which he described the troops as 'armed negotiators,' a phrase which was not forgotten or forgiven. In the north especially the

[1] Harcourt to Rochford, Oct. 11, 1775.
[2] Ibid. Nov. 15, 18, 26. Commons' *Journals*, xvii. pp. 203, 207, 210.

discontent was general, and Harcourt sent a report to the Government complaining bitterly of 'the violent opposition made by the Presbyterians to the measures of Government,' and describing them as 'talking in all companies in such a way that if they are not rebels, it is hard to find a name for them.'[1]

In Parliament several circumstances conspired still further to increase the discontent. New duties were voted in order to provide funds for transporting the 4,000 troops to America, and the English Privy Council thought fit to alter two Money Bills, which were accordingly very angrily, and almost unanimously rejected, though they appear to have been reintroduced and passed in their altered form. The English Government maintained that after the resolution of the House of Commons they might remove the 4,000 troops by royal prerogative. The Viceroy maintained that an enabling Act of Parliament was necessary, and the question was at last compromised by a declaratory Act recognising the authority of the addresses of the Houses of Parliament. A Bill making the tenure of judges secure was again carried through the House of Commons, and was strongly supported by the Irish Privy Council, but the English Privy Council, acting upon the advice of Harcourt, whose settled policy was to maintain every form of Government influence, again refused to return it. A new Militia Bill was sent over, but, though recommended by Harcourt, it was not returned. The financial condition of the country, in spite of the new taxes, continued scandalously bad. The National Debt on Ladyday 1775 was more than 976,000*l.* The pensions for the two previous years were 164,137*l.* 175,000*l.* more was raised by annuities. A powerful representation to the Lord Lieutenant was moved in the House of Commons,[2] and, although it was not carried, the signs of irritation were so strong that in March 1776 the Ministers determined to dissolve Parliament. Harcourt urged that in the present state of affairs it would be exceedingly advisable to dispense with the custom of sending over a Money Bill as a reason for

[1] Harcourt to Rochford, Aug. 16, 1775. See, too, on the American sympathies of the Irish Protestants, vol. iii. p. 534.

[2] Plowden's *Historical Review*, i. 437–441.

summoning the new Parliament, but the answer was curt and decisive. The King himself had declared that 'he could not depart from the constitutional usage.'[1]

Blaquiere looked forward with considerable apprehension to the coming dissolution. The majority of the seats were, it is true, in the uncontrolled possession of a few individuals who were in alliance with the Government, but there were always some constituencies which were truly representative, and in a very confidential letter to Robinson, the English Secretary of the Treasury, Blaquiere predicted that, unless the greatest care was taken, the Government would lose seriously at the election. 'The means to remedy the evil,' he continued, 'are but few, and after the conversation we have had upon this score, in which there appeared almost an impossibility of affording us any assistance from England, I shall suppose but one. You must by pension or place sink a sum of not less than about 9,000*l.* per annum, exclusive of the provision that may be found requisite for rewarding and indemnifying those who are connected by office with his Excellency's administration. . . . . There are not less than thirty or forty members who, if not assisted, certainly cannot secure their re-elections. Many of these gentlemen hold small employments and pensions from 200*l.* to 300*l.*, some under 200*l.* a year. Their seats in the new Parliament cannot be purchased at less than 2,000 guineas to 2,500*l.* Their past services certainly entitle them to the possession of what they now hold, and an addition by salary from 200*l.* to 250*l.* or more, as circumstances require, must surely be considered as scarcely an adequate compensation for the advance and loss of so large a sum as 2,000 guineas. There are, besides, several gentlemen who, holding not a shilling under the Crown, have assisted, and are now engaged to support, the measures of Government upon expectation given them of a suitable provision at the end of this session.'[2] Shortly after, Blaquiere sent Robinson a detailed list of the pensions required to secure the election. They amounted to 11,250*l.*,

[1] Harcourt to Weymouth, Dec. 22, 28, 1775. Weymouth to Harcourt, Jan. 22, 1776. Harcourt to Weymouth. Feb. 5, 28. March 20, 1776. Weymouth to Harcourt, March 26, 1776. Plowden, i 434-439. Commons' *Journals*, xvii. 15 & 16 Geo. III. c. 10.

[2] Blaquiere to Robinson, Nov. 2, 1775.

but of this sum 1,400*l.* was still due from Lord Townshend's pledges. 'These things done,' he said, 'you will have most unquestionably in the new Parliament a most respectable majority.' '138 plumping votes, of unequivocal men, is, in my opinion, as great a power as Government can now command or ever need to command, in this Parliament.'[1] But in addition to the grant of these pensions a step was taken which in England would probably have been followed by an impeachment. The simultaneous creation of twelve peers in order to secure a majority was justly regarded as one of the worst acts of the Tory Ministry of Anne, but it was now far surpassed. Eighteen Irish peers were created in a single day, and seven barons and five viscounts were at the same time raised a step in the peerage. The terms of the bargain were well known to be an engagement to support the Government by their votes in the House of Lords, by their substitutes and their influence in the House of Commons.[2]

This was one of the last events in the administration of Lord Harcourt. His relations with the English ministers had for some time been growing tense, and he now resigned office and was replaced in November 1776 by the Earl of Buckinghamshire. The administration of Harcourt in its opening had enjoyed great popularity, but it carried the system of corruption which Townshend had established to a still greater excess. Though large economies in the establishments had been promised, though the deficiency in most branches of the revenue was already threatening bankruptcy, yet no less than 80,000*l.* had been added in this administration to the public expenditure of Ireland.[3] Several thousands of pounds were spent in creating new offices or annexing new salaries to old ones, and in the words of Grattan, 'there was scarcely a sinecure whose salary Government had not increased.' In the space of twenty years the Civil List had nearly doubled, the Pension List had nearly doubled, and a national debt of a million had been accumulated.[4] Between March 1773 and September 1777 the

[1] Blaquiere to Robinson, Dec. 15, 1775 (private and confidential).

[2] Plowden, i. 445. Four baronets were also made about the same time. See, too, Walpole's *Last Journals*, ii. 58, 59.

[3] Grattan's *Speeches*, i. p. 4.

[4] At Lady Day, 1777, the National

Pension List had risen from 79,099*l.* to 89,095*l.*[1] Loans were raised in 1769, in 1771, in 1773, in 1775, and in 1777. In 1773 and 1775 new taxes were imposed which were estimated to produce 140,000*l.* a year, yet these measures and the withdrawal of a large body of troops from the establishment had failed to restore the equilibrium.[2] It was no longer possible to urge that the public revenue was largely wasted in private grants for stimulating private enterprises. Most of the new expenses emanated from the Government itself. Nearly half the debt had been accumulated in time of perfect peace, and candid men were obliged to confess that the old system of undertakers was much more economical, and was certainly not more corrupt, than that which had succeeded it.

It seemed, indeed, scarcely possible that the country could escape bankruptcy, for, while the establishments were steadily mounting, the few sources of wealth which the commercial restrictions had left were now cut off. The rupture with the colonies closed one of the chief markets of Irish linens, while the provision trade, on which the landed interest mainly depended, was annihilated by an embargo which was laid by proclamation, and without consultation with the Irish parliament, on the export of provisions from Ireland, and which was continued during three years. It was ostensibly to prevent Irish provisions passing to the colonists or to the French, but it was very positively stated that it was imposed by an unconstitutional stretch of the prerogative at the instigation of private individuals, in order to favour a few private contractors in England. The rupture with France was in no part of the empire felt so severely as in Ireland; for one of the effects of the laws restraining Irish commerce with England and her colonies had been to establish a close commercial connection between Ireland and France. It was said by a very able writer on the economical condition of Ireland, that 'two of her

Debt was 834,086*l.* 19*s.* 3*d.* But in this session 166,000*l.* more was added. Besides this, the nation was burdened with life annuities at 6 per cent. for the sum of 444,000*l.* See the remarkable representation of the *minority in* Parliament, Commons' *Journals*, xviii. 337–340.

[1] Ibid. xviii. p. 368.

[2] See the report of the minority in the House of Commons in Plowden's *Historical Register*, i. 450–454. Grattan's *Speeches*, i. 2–19.

provinces may at this very day be called provinces of France as much as of Great Britain.'[1] All this commercial intercourse was now cut off. French and American privateers swarmed around the coast, and universal distress set in. The price of black cattle, and of wool; rents, credit, private business and public revenue in all their branches rapidly sank, and thousands of manufacturers lived on charity or abandoned the country. In Dublin, half-starving crowds, carrying a black fleece in token of their distress, paraded the streets. The pressure was so severe that in 1778 Ireland was obliged to borrow from England 50,000*l.* for the payment of her troops, and the value of the imports from England was 634,444*l.* below the average of the four preceding years.[2] The want of employment, complained one of the best economical writers in Ireland, was at this time such that two-thirds of the country was uninhabited. At least 15,000 Irishmen were seeking their living in foreign armies; and, perhaps, a still greater number in other capacities on the continent. At every opportunity great numbers were flying across the sea, and as the same extension of pasture which diminished the demand for labour raised the price of bread, over a great part of Ireland, 'the wretches that remained had scarcely the appearance of human creatures.' 'In England,' he concluded, 'there is no such thing as poverty in comparison of what is to be found in every part of Ireland except the cities and principal towns.'[3]

The necessity under these circumstances of abandoning the system of commercial restrictions began to force itself upon many minds. It was plain that without some alteration in her economical condition Ireland could not much longer contribute her share to the military expenditure of the empire. It was plain that a large part of the discontent which was rapidly severing the American colonies from the empire had been due to the commercial policy of the mother country, and it was only too probable that in Ireland similar causes would ultimately

[1] *Comparative View of the Public Burdens of Great Britain and Ireland* (London and Dublin, 1779), p. 53.

[2] Walter H. Burgh on *The State of Ireland* (June 1779). — Record Office. Crawford's *Hist. of Ireland*, ii. 331–332.

[3] Caldwell's *Inquiry into the Restrictions on the Trade of Ireland* (Dublin, 1779), pp. 26. 27.

produce similar effects. The disaster of Saratoga, in 1777, had revealed the full gravity of the situation, and, now that the sword of France was thrown into the hostile scale, the issue of the contest was at least very doubtful. Besides this, the wisdom of the code was becoming widely questioned. From a very early time a few weighty voices had broken the unanimity in its favour. Even Davenant, who so strongly supported its most oppressive provisions, had contended that the free admission of Irish cattle would be advantageous to England. Decker, in his remarkable Essay, 'On the Causes of the Decline of Foreign Trade,' had advocated a legislative union and a complete abolition of trade restrictions between England and Ireland, and had pointed out how the English, by prohibiting the importation of cattle from Ireland and of corn from any country, except when its price was immoderate, had hampered their own manufactures, while the Dutch, by allowing their workmen to obtain provisions in the cheapest markets, were able to produce their goods at prices with which it was impossible for Englishmen to compete. Sir Francis Brewster was somewhat less liberal in his commercial views; but he too advocated a legislative union, and argued that England, in making laws for the purpose of crippling Irish industry, acted like a man who cut off a limb from his own body. Berkeley questioned the whole mercantile theory on which the restrictive code was based. Hume not only demonstrated the falseness of that theory, but argued strongly in favour of the reciprocal advantages of free trade of the widest kind. Shelburne was an early and consistent advocate of free trade. 'Monopolies,' he once said, 'some way or other, are ever justly punished. They forbid rivalry, and rivalry is of the very essence of the well-being of trade. This seems to be the era of Protestantism in trade.' He at the same time reminded English politicians that their present policy of commercial restriction was a very modern one, dating only from the Restoration, and in its worst features from the Revolution. It would be, perhaps, rash to suppose that the 'Wealth of Nations' had yet attained any considerable influence even among the highest minds, but like all books which mark an epoch in the human intellect, the treatise of Adam Smith was in a great measure representative, systematising, defending, elaborating, and har-

monising modes of political thinking which had long been gathering strength in the community.

Two or three Irish writers of conspicuous ability about this time advocated the cause of their country with great force of reasoning, and with a singular conformity to the principles of sound political economy.[1] They urged that Ireland could only be reasonably regarded as a remote part of the British Empire, and that there could be no greater absurdity than to suppose that laws which enfeeble, depopulate, and depress one-third of the empire can render the aggregate strong, populous, and flourishing. They maintained that in exact proportion to the growing wealth of Ireland would be not only her capacity of serving England, but also the inevitable outflow of her wealth to England; that the present cheapness of labour in Ireland which was so terrible to English manufacturers was merely a consequence of the want of employment, and would cease with growing wealth and manufactures; that every argument which was urged in favour of crippling Irish trade might be equally urged in favour of crippling the trade of one part of England for the advantage of another. London might petition that the port of Bristol should be closed because it was better situated for the Irish trade. The rest of England might combine to exclude Yorkshire from the wool trade, because Yorkshire carried it on with exceptional success. Could it be reasonably doubted that if England were divided into two kingdoms, north and south of the Thames, and if each carried on a war of commercial prohibitions and high duties against the other, the whole community would be weakened, and was not the case parallel with respect to the two parts of

[1] In 1779 two productions of almost the highest economical merit were published: *The Inquiry concerning the Restrictions on the Trade of Ireland*, by Sir James Caldwell (the greater part of which was afterwards reprinted in Almon's *Biographical Anecdotes*), and Hely Hutchinson's *Commercial Restraints*. See, too, a valuable anonymous pamphlet called *A Comparative View of the Public Burdens of Great Britain and Ireland*. In 1779 the Government solicited from most of the leading politicians in Ireland a detailed account of their view of the economical evils of Ireland and of the best methods of remedying them. The result was a series of papers on the condition of Ireland by Lord Lifford, Hely Hutchinson, Henry Burgh, Pery, Foster, and a few others, which are preserved at the Record Office and which are well worthy of publication. It is impossible to read them without being struck with their great ability and also with the curiously significant fact that no one of the writers (as far as I have observed) mentions the penal laws against the Catholics as one of the causes of economical depression.

the British dominions that lie on opposite sides of the Irish Channel? Could it be doubted that if the area of England were doubled, if the whole were fully peopled, and if the people were fully employed, the strength of the empire would be proportionately increased, and was it not plain that England would obtain many of the advantages of increase of territory by raising Ireland through equal commercial laws to a level with herself? The essential fallacy of the notion that commerce between two nations is only advantageous to the one which obtains a balance of money was never more clearly displayed, and it was shown by conclusive evidence that the commercial policy was condemned by experience. At the time of the Union with Scotland, English manufacturers predicted that free trade granted to a country where labour was so cheap would prove fatal to English commerce. Scotland had, indeed, gained much by the Union, but the external commerce of England had at least doubled since it was passed. The destruction of the Irish woollen manufacture had, no doubt, ruined Ireland; but it had at the same time given a new vigour to the rival manufactures in France, and even in Spain. Spanish wool was too fine, and French wool too coarse, to be worked up without a mixture of another quality, into cloths fit for general consumption. Irish wool was exactly the mixture that was required. 'Every pack of Irish wool will work up at least two packs of French wool, none of which could be wrought up without it into any stuff that would rival us in the market.' A great clandestine exportation of Irish wool to France had thus inevitably arisen, and it was totally impossible to stop it. Nineteen out of the thirty-two counties of Ireland touched the sea, and many of the others were traversed by navigable rivers. England had denied Ireland all profitable employment of the wool which was her most valuable product, and it was for the advantage of all classes to encourage this illicit trade. Hely Hutchinson, indeed, in a very able paper addressed to the Government, maintained with great force that, considering the constant drain of money to England, the very existence of Ireland depended upon it. The result was that a woollen manufacture which might have flourished in a subordinate part of the British Empire, was transferred to *a foreign* and hostile power, which had already driven the

nglish wool trade from the Levant, and was rapidly outstripping in other fields. The elaborate provisions relating to the ıgar trade had been equally unsuccessful. In the interest of ıe English sugar colonies Ireland had been forbidden to im- ɔrt sugar or molasses from the colonies of other powers. In ıe interests of English agents she had been forbidden to import ıem directly from the English colonies, in order that a commis- on might be charged on them when they were unshipped and ɜladen in England. The result was that they were obtained andestinely from the French plantations, and a close commer- al connection was formed with the power from which England ad most to fear.

It was added that there was at least one excuse for the ·overnment which crushed the Irish woollen trade which did not ay longer exist, for the woollen trade then occupied a wholly nique position among English industries. There was at that time ɜarcely any trade with the colonies. The manufactures of silk, of ɔtton, of hardware, of hats, of paper, as well as numerous other ranches of English industry had not yet arisen.[1] The Woolsack on ·hich the Chancellor sits when presiding over the Upper House ɜ said to have been originally intended to typify the supreme nportance which in the earlier phases of English history, he woollen manufacture occupied in English policy. It was lmost the sole considerable form of English industry, and the ɜeople saw nothing but ruin before them if it was impaired. 'he fear, however, that Ireland could eclipse England in trade ɾas then, as now, utterly chimerical. 'That a country in the nfancy of improvement, without skill in manufactures, without apital in trade, without coal or inland navigation, without ıabits of docility or industry, should in a moment run away ɾith trade and manufactures from one in which they have been ɔng and firmly established, with all these advantages to boot, ɜ an assertion that is refuted in the stating it.'[2]

Nor could English statesmen afford to look with indifference

[1] *Comparative Burdens of Great Britain and Ireland*, p. 45. The writer f this pamphlet says: 'England was hen almost confined to one single pecies of manufacture, namely, the ɾoollen, the market for which, both oreign and domestic, was twice as extensive as at present. In those times our ladies wore stuffs; now even our very servant-maids are clothed in silks and cottons.'

[2] W. H. Burgh (June 1779). Record Office.

on the ruin of Ireland. It was computed that at least 600,000*l.* was annually remitted from Ireland to England for absentees, pensioners, mortgagees, and holders of Government annuities. The value of the exports of Great Britain to Ireland in good years was about two millions, and exceeded the value of her exports to any other country except America, and in every war regiments recruited in Ireland and paid from the Irish treasury formed a considerable part of the English army. Unless some change was speedily made in the commercial system all this must cease. Taxation had reached its limits. 'When a nation has spared out of its annual wealth the utmost it can afford for the public purse, new laws may change the objects of taxation, but will not increase the amount of revenue.' 'England,' said a distinguished Irish statesman, 'must now either support this kingdom or allow her the means of supporting herself. Her option is to give in trade or in money. Without one or the other I know not how the expense of government here can be supplied. In the one way, she suffers a country of great extent and fertility to become a burden instead of a benefit. In the other, whatever wealth we may acquire will flow back upon herself.' If nothing is done bankruptcy cannot be averted, and it is probable that as soon as the American war is terminated, thousands will leave a country which is manifestly sinking into ruin.[1]

Such were the views which were put forward by the ablest representatives of Irish opinion. Lord Nugent, who was himself an Irishman, brought the question of the relaxation of the Irish commercial code before the English Parliament in April 1778, and in the debates that ensued he was supported with great knowledge and genius by Edmund Burke. In March, Buckingham had warned the Home Government that an enlargement of the trade of Ireland had become absolutely necessary for the support of the country, and in order to enable it to bear 'the many drains to which it was annually subject, particularly to Great Britain, and to make provision for the expenses of his Majesty's Government, which of late years have

[1] W. H. Burgh (June 1779), Record Office. See also the reports of John Foster and of Hely Hutchinson.

in every branch been increased to a considerable amount.'[1] Lord North cordially adopted this view. It was agreed, indeed, that nothing could be done to remove the restrictions on wool and the woollen manufacture, which were the most important articles of the Commercial Code; but it was proposed that, with this exception, Ireland might send all her products to the English settlements and plantations, and might receive those of the colonies, with the exception of tobacco, in return, without their being first unladen in England. A small attempt to create a manufacture of glass in Ireland had been speedily crushed by an English law prohibiting the Irish from exporting their glass to any country whatever.[2] It was now proposed to allow them to send it to any country except Great Britain, and it was also proposed to repeal a prohibitory duty which excluded from England cotton yarn made in Ireland, and to admit Irish sail-cloth and cordage free of duty.[3]

These resolutions were thrown into the form of Bills, but at once, and from almost every manufacturing town in England, a fierce storm of opposition arose. Petitions, public meetings, instructions to members were all resorted to, and almost the whole commercial class in England protested against any measure allowing the Irish to participate in the most limited degree in British trade, or even to dispose of their own commodities in foreign markets. 'A foreign invasion,' it was said, 'could scarcely have excited a greater alarm.' A mere abstract of the petitions which were sent up, occupied fourteen pages of very small print. It was said that English agents would be impoverished if they were no longer allowed to charge a 2½ per cent. commission on sugar sent from the plantations to Ireland when it was unladen and reshipped in England. Lancashire feared that checked and printed linens from Ireland would supersede her products in the colonies, and every trade which was in the remotest degree connected with the proposed Bills flung itself ardently into opposition. It was not a party question, but a spontaneous ebullition of intense commercial selfishness. It was the same spirit which defeated the commercial clauses of

[1] March 20, 1778 Buckingham to North.—Irish State Paper Office.

[2] 19 George II. c. 12.

[3] *Parl. Hist.* xix. 1100–1126. *Annual Register*, 1778, 173, 186.

the Treaty of Utrecht, and which afterwards defeated the commercial treaty of Pitt. It was the same spirit which, in the days of William and Anne, had driven Irish manufacturers by thousands into exile, and which dictated all the restrictive laws that prepared the way for the loss of America. Nothing indeed in the history of political imposture is more curious than the success with which, during the Anti-Corn Law agitation, the notion was disseminated that on questions of protection and free trade the manufacturing classes have been peculiarly liberal and enlightened, and the landed classes peculiarly selfish and ignorant. It is indeed true, that when in the present century the pressure of population on subsistence had made a change in the Corn Laws inevitable, the manufacturing classes placed themselves at the head of a free-trade movement from which they must necessarily have derived the chief benefit, while the entire risk and sacrifice were thrown upon others. But it is no less true that there is scarcely a manufacture in England which has not been defended in the spirit of the narrowest and most jealous monopoly, and the growing ascendency of the commercial classes after the Revolution is nowhere more apparent than in the multiplied restrictions of the English Commercial Code.

London on this occasion exhibited an honourable neutrality, but from all the other great manufacturing towns instructions and petitions poured in. Liverpool, Manchester, Glasgow, and Bristol were conspicuous in the opposition, and threats were even uttered in Parliament that the loyalty of the great towns was contingent upon the maintenance of the restrictions.[1] Burke lost his seat for Bristol chiefly on account of the courageous and very brilliant part he had taken on this question, and Lord North was so intimidated that he consented to reduce the measure to the smallest proportions. The theory of the amended Navigation Act was indeed abandoned. Vessels built in Ireland were to be henceforth considered British-built, and were to be entitled to receive the bounties in fisheries of every kind, but the Irish were forbidden absolutely to export to the colonies wool, woollen and cotton manu-

[1] *Annual Register*, 1778. *Parl. Hist.* xix. 1100–1126. Adolphus, ii. 552–553. Macpherson's *Annals of Commerce*, iii. 622, 623.

factures, hats, glass, hops, gunpowder and coals. They were forbidden to export iron or ironwares till the Irish Parliament had imposed a prescribed duty upon them. They were obliged in like manner to charge duties and taxes on all their exported manufactures, equivalent to those paid on similar articles of British fabric, and they were still forbidden to import goods direct from the colonies. Cotton yarn home-spun in Ireland might, however, now be imported into England free of duty.[1]

The concession was plainly insufficient for the necessities of Ireland, and at a time when commerce with America was wholly suspended it was almost nugatory. It marked, however, the gradual subversion of the old policy of restriction. Nor was this the only sign of concession. The year 1778 is also very memorable in Irish history as witnessing the first considerable step towards the abolition of the penal code.

The almost absolute silence about the Catholic population of Ireland in the present chapter will perhaps have already struck the reader. The truth is that the period of tension and acute conflict between the two religions had passed, and the very name of Papist rarely occurs in Irish politics. Of purely religious intolerance there was now very little, though we may still find a few signs that Catholicism as a religion was looked upon as an evil. The Charter Schools, which were distinctly proselytising, were steadily encouraged by the Irish Parliament. Under Lord Townshend, 10*l.* was added to the annual sum granted to any priest who became a convert. The merchants and traders of Dublin, in petitioning for a limitation of the duration of Parliament, urged among other reasons that it 'would render the generality of landlords assiduous in procuring Protestant tenants, and by such visible advantages to Protestants induce Catholics to conform.'[2] The Irish Privy Council, in 1772, recommending a Bill for enabling Catholics to borrow on landed security, gave as one argument, that it may 'induce them to become Protestants in order to acquire landed property.'[3] But in general there was little spirit of

[1] 18 George III., ch. 55, 56.

[2] O'Conor's *History of Irish Catholics*, p. 325.

[3] April 9, 1772.—Irish State Paper Office.

proselytism and still less religious enthusiasm among the Irish Protestants, and questions relating to Catholics were nearly always argued rather on economical and political than on religious grounds. There were politicians of no mean order who sincerely believed that the admission of Catholics to any degree of political power would be fatal to the stability of the country, and there was still an ignoble spirit of ascendency which looked down upon Catholics as upon a servile and subjugated caste, and resented, both on grounds of sentiment and on grounds of interest, any attempt to raise them. The penal laws made the Protestant landlord in a Catholic district little less than a despot. The lawyer found that they diminished the competition while they increased the business of his profession. Corporations had become under their influence small monopolising bodies which were able to levy oppressive quarterage on Catholic traders. In almost every walk of life when a Protestant and a Catholic were in competition the former found the ascendency of his religion an advantage. Many who would never have sought ascendency if it had not been established wished to preserve the privileges they had inherited, and the most worthless Protestant, if he had nothing else to boast of, at least found it pleasing to think that he was a member of a dominant race. Traditional antipathies and distinctions, though they had lost their old vitality, passed languidly and passively into the mind, but they were only slightly and remotely connected with religion, and, as Arthur Young truly said, the penal laws were now directed much more against the property than against the creed of the Catholic. Though the whole Catholic system in Ireland existed only by connivance, it appears to have been practically unmolested. Even in Ulster, where the spirit of intolerance was much stronger than in other provinces, sumptuous mass-houses were everywhere arising,[1] and bishops and monks, as well as ordinary priests and schoolmasters, lived in the country

[1] 'Till within these few years there was scarce a mass-house to be seen in the northern counties of Ulster. Now mass-houses are spreading over most parts of that country. Convents till of late were hid in corners. Now they are openly avowed in the very metropolis. From the Revolution till a few years ago mass-houses were little huts in remote and obscure places. Now they are sumptuous buildings in the most public and conspicuous places.'—*Some Arguments for Limiting the Duration of Parliaments* (Dublin, 1764), p. 5.

thout concealment or difficulty. Of the Catholic laity at ıst nineteen-twentieths were too poor and too ignorant to affected by any disabling laws or to take any interest in litical questions. The landlords of the persuasion had ·indled, under many disabilities and many temptations to ostasy, into a small and insignificant body, who seldom peared before the world except in times of great national nger when, under the guidance of a few conspicuous .tholic peers, they came forward to express in hyperbolical rms their loyalty to the Crown. A great part of the more ergetic Catholics passed steadily to the Continent. Shut t from the University, from the magistracy, from the legal ofession in all its grades, from all forms of administration d political ambition, scarcely anything remained for them at ıme except industrial life, and a considerable body of wealthy ıtholic merchants had grown up, especially at Cork, Limerick, d Waterford. Time, however, had gradually done its ›rk. The habits and pursuits of all classes had been ac-mmodated to their conditions, and a state of society which ıs in truth very anomalous had grown into a kind of second .ture, and was acquiesced in without much conflict or irri-tion.[1]

The Catholic Association, which was founded in 1759 by a ıysician named Curry, by the antiquary Charles O'Conor, d by a Waterford merchant named Wyse, was the first im-›rtant effort to create an independent Catholic opinion. The ject was to establish a committee in Dublin comprising presentatives of every Catholic diocese, to watch over the terests of the whole body. Curry himself exercised a very nsiderable influence upon opinion by his historical works, ıich show both research and literary powers, and were especially luable as bringing together some part of the overwhelming idence which exists disproving the enormous falsehoods that

[1] Henry Brooke, writing in defence the Catholics in 1762, says there › penal laws 'which if put in exe-›ion would not suffer a single pist to breathe beyond the bars of ail in Ireland. But though those ws are still in force, it is long since ›y have been in action. They hang like a sword by a thread over the heads of those people, and Papists walk under it in security and peace; for whoever should adventure to cut this thread would become ignominious and detestable in the land.'—*Trial of the Roman Catholics*, p. 226.

had been circulated about the rebellion of 1641. The notion that this rebellion began with an unprovoked, deliberate, and general massacre of the unarmed and unsuspecting Protestant population, not less extensive than the massacre of St. Bartholomew, had passed, on the authority of Clarendon and Milton, into the popular belief, had been lately adopted by Hume with his usual carelessness and in its most exaggerated form, had been spread over the Continent by Voltaire, and has been frequently repeated to our own day. To the few persons who have examined with any care the original evidence on the subject its falsehood will appear sufficiently glaring, and it may be mentioned that Burke, who was well versed in Irish history, could scarcely speak with patience on the subject.[1] The collection of purely Protestant evidence which was brought together by Curry at least shook the popular tradition. A much more questionable proceeding of the leading Catholics was to subscribe money in order to pay Protestants to support their cause. Henry Brooke, the well-known author of the 'Fool of Quality,' who wrote with great force and beauty in favour of the relaxation of the penal code, and whose 'Trial of Roman Catholics' is one of the best exposures of the popular delusions about the rebellion of 1641, is said to have received money as well as information from the Catholic leaders.[2] A proposal

[1] 'Indeed, I *have* my opinion on that part of history, which I have often delivered to you—to everyone I have conversed with on the subject, and which I mean still to deliver whenever the occasion calls for it, which is that the Irish rebellion of 1641 was not only (as our silly things called "histories" call it), not utterly *unprovoked*, but that no history I have ever read furnishes an instance of any that was so *provoked*; and that in almost all parts of it, it has been extremely and most absurdly misrepresented.'—Burke's *Correspondence*, i. 337. See, too, Prior's *Life of Burke* (second ed.), i. 97. On the utter falseness of the common story about the rebellion in Ulster having broken out with a general massacre, see the recent and very decisive testimony of Mr. Gardiner.—*Fall of the Monarchy of Charles I.* ii. 309.

[2] This is positively stated by Matthew O'Conor in his *History of the Irish Catholics*, pp. 262–264, and as this writer was the grandson and the possessor of the papers of Charles O'Conor, who is said to have been the person who negotiated with Brooke, and as he had no interest in depreciating the authority of a supporter of the Catholics, the statement seems to me true. Plowden, who also saw the papers of Charles O'Conor, though he does not mention Brooke, says that the Catholics 'adopted the measures proposed to them by Dr. Curry and Mr. O'Conor, of employing the most leading literary men of the day to write in favour of Catholic claims.' (*Historical Register*, i. 321. Brooke's original *Farmer's Letters*, written in the panic of 1746, were very anti-Catholic, but he contends in a very beautiful private letter that fourteen years of peace and unbroken Catholic loyalty had changed his views. (*Brookiana*, i. 185–204). This is probably true, for the spirit of tolera-

'as adopted, but apparently not carried into execution, of ending Dr. Johnson 50 guineas to induce him to write in avour of the Catholics, and in 1779 we find Burke refusing a ift of 300 guineas, which was offered him as a token of ratitude for his services in the cause.[1]

The system of exclusion first broke down in the recruiting ervice. As the demand for additional soldiers became continually more pressing, it must have occurred to many that the 'atholic districts of Ireland had supplied the armies of France, pain, Austria, Naples, and Piedmont with many thousands of oung men who had proved themselves eminently brave and usceptible of discipline, and who had fought with distinction n almost every battlefield on the Continent. The Irish Protestants were, from their circumstances, a very military body; ut towards the close of the wars of Pitt the supply of recruits egan to run short, and in 1758 or 1759, at the suggestion of he Duke of Bedford, while strict orders were still given for the xclusion of Catholics from the army, about 1,200 marines were aised in the Popish districts of Ireland.[2] The letters of Lord Ialifax are extremely friendly towards the Catholics. The roject which I have already noticed of raising seven Irish

on had in these fourteen years been teadily increasing in Ireland. The ery high character which Brooke ore among his contemporaries entles him to a favourable construcion, and his writings in favour of the 'atholics bear strong internal marks f sincerity. At the same time, if he ccepted money for writing, even in a ause in which he sincerely believed, nis fact weakens his authority.

[1] Burke's *Correspondence*, ii. 281, 91. Plowden's *Hist. Register*, i. 321.

[2] Bedford to Pitt, Jan. 20, 1760. ecord Office. It was, I suppose, to hese marines that Primate Stone lluded when in 1762 he eulogised 'the allant conduct of the Irish Catholic ailors at Belleisle and at the recent onquest of Martinique.'—O'Conor's *listory of the Irish Catholics*, p. 284. n the express exclusion of Catholics y the recruiting agents in the Vice-oyalty of Bedford, see vol. ii. p. 396. must acknowledge myself, however, nable to reconcile the facts there tated with an assertion which appears o have been made in the English Parliament in 1771. It was then stated that 'a great part of the foot regiments at present in Ireland consisted of Catholics; that they were good soldiers, had always in the late war behaved well, particularly at Quebec, where one of the regiments (Lord Townshend's) was almost entirely Catholics. They were such good men in service that General Wolfe charged at the head of them.' —*Parl. Hist.* xvii. 172. Townshend's regiment was the 15th Foot, which was quartered in Ireland from 1749 to 1755 (Cannon's *History of the 15th Regiment*). Henry Brooke wrote: 'Many thousands of Popish converts have entered our pale since the first enacting of the said laws, but of those many thousands, not one in a hundred hath entered by the strait door of public recantation. They have entered by the way of our fleets, of our armies, and in much greater numbers by the way of domestic service in Protestant families.'—*Trial of Roman Catholics*, p. 245.

Catholic regiments for the allied service of Portugal, was introduced by Hamilton, the Chief Secretary, and supported by Hely Hutchinson. In the House of Lords the Catholics were warmly defended by Primate Stone, by the Chancellor, and by Lord Hillsborough; but a violent opposition was raised by some of the Protestant gentry under the leadership of the Earl of Carrick, and supported, apparently through factious motives, by Lord Shannon. 'The corps of Roman Catholics,' Lord Halifax wrote, 'which it has been proposed to his Majesty to send into the service of Portugal, gave occasion to a few members who are not satisfied with a very ample share of the King's authority and his bounty, publicly to appear in opposition to the measure, upon a ground, which, however untenable, is not wholly unpopular. In addition to the discontent which every appearance of favour or confidence to Roman Catholics gives to some here, others found that the withdrawing so many hands would raise the price of labour and consequently lower the value of their estates. Out of these materials of dissatisfaction, in the midst of the happiest and most perfect unanimity which has ever been known in this Parliament, an opposition to this measure was raised.' Halifax ascribes to this opposition the reports which were industriously circulated that the Whiteboy outrages were of the nature of a Popish insurrection. 'I can venture to assure your Lordship,' he adds, 'that if his Majesty should accidentally lay aside the plan of the Roman Catholic corps, he will hear nothing further of the rioters except their just punishment.'[1]

Charlemont, who was probably the most independent and patriotic of the Irish peers, on this occasion supported the Government, and the account he gives of the nature of the opposition to the scheme agrees perfectly with that of Lord Halifax. He tells us that it was very unpopular among the Protestant gentry, who argued that it was dangerous to encourage the arming of so many men who might one day turn against England, and that the South and West of Ireland were too thinly populated to spare their population. Yet 'three thousand men,' he says, 'could scarcely be supposed capable of annihilating the cultivation of two great provinces; neither did they

[1] Halifax to Egremont, Feb. 8, April 17, 1762.

seem well entitled to the benefit of this argument by whose oppression double this number were annually compelled to emigration; and it was but too evident that a principle of the most detestable nature lay hidden under this specious mode of reasoning. The Protestant Bashaws of the South and West were loth to resign so many of those wretches whom they looked upon and treated as their slaves.' The opposition was so strong and so threatening that the Government thought it wise to lay aside the scheme.[1]

From this time, however, the instructions to recruiting agents to enlist no one but Protestants were silently dropped, though it is worthy of notice that Lord Hertford, when going over to Ireland, was especially ordered to take care that the laws not allowing Papists to bear arms without license should be observed.[2] The army became gradually a resource for impoverished and adventurous Catholics, and although the question of recruiting naturally fell into the background during the peace, it revived in the administration of Lord Townshend at the time of the augmentation of the forces and of the complication about the Falkland Isles. Townshend advocated a policy directly opposite to that of his predecessors. He argued that 'as the trade and manufactures of Ireland are almost totally carried on by Protestants, the number of whom is very small in proportion to the number of Papists,' it was of the utmost importance that Protestants should not be taken away for foreign service, and he proposed that Papists, and Papists alone, should be enlisted. 'A considerable number of able men might be raised from amongst them in a short space of time in the provinces of Leinster, Munster, and Connaught.' Rochford answered that the arguments of Townshend had convinced the King of the impropriety of drawing off a number of Protestants from those parts of the country where the chief manufactures were carried on; that he could not without a special Act of Parliament order the recruiting agents to restrict themselves to Roman Catholics, but that in the present very pressing exigency he authorised them to make Leinster, Munster, and Connaught their recruiting grounds.[3]

[1] Charlemont MS. *Autobiography.*

[2] Instructions to Lord Hertford, Aug. 9, 1765. Record Office.

[3] Dec. 27, 1770, Townshend to Rochford. Jan. 11, 1771, Rochford to Townshend. A Bill was introduced

In this manner the Catholics were silently admitted into the British army, of which they have ever since formed a large and a distinguished part. At the beginning of the American war their leading gentry came forward, as usual, to testify their unbounded loyalty to the Sovereign, and the Irish Catholics do not appear to have shown any of that sympathy with the Americans which was evident among the Presbyterians. Constitutional questions, indeed, about the respective limits of Imperial and provincial legislatures, and about the relations which should subsist between taxation and representation, can have had very little interest or meaning to men who were excluded from every form of political liberty and power. The Irish emigrants, who were so conspicuous in the American ranks, were chiefly, though not exclusively, Protestants,[1] and the Catholics of Canada remained firm in their allegiance to the Crown. In Ireland the demand for recruits was very great, and Catholics were readily accepted, and appear to have enlisted in large numbers.[2] Their worship, if it was not actively encouraged, seems to have been at least unimpeded, but the officers were still exclusively Protestant.[3]

While the system of penal restrictions was thus giving way

into the English Parliament about this time authorising (among other provisions) the East India Company to raise recruits in Ireland among the Catholics, but it was not passed.—*Parl. Hist.* xvii. 171–173.

[1] Charles Caroll, who principally determined Maryland to take part in the Revolution, and who was the last survivor of the signers of the Declaration of Independence, was a Catholic of Irish descent; and John Barry, who gained much distinction as a sailor in the war of the Revolution, was a Catholic, born at Wexford.

[2] Harcourt sent to Rochford a report from a revenue officer at Cork, who after describing the seditious language of the Presbyterians, continues:—'Their invectives against the Papists, and their ridiculing every support they can give, and, above all, the stories they have spread that the common people are averse to enlisting, have done the recruiting good service. . . . The rich Papists declare they will spend their last shilling or get men. . . . and that the more people talk against them the more conspicuous their loyalty will be. . . . The money begins to fly, and as Papists have it in plenty, they are forcing trade.'—Harcourt to Rochford, Aug. 16, 1775.

[3] Campbell's *Philosophical Survey*, pp. 301, 302. There is a correspondence in the Record Office about a recruiting officer at Sligo, who at the beginning of 1776 published an advertisement promising that the Catholics who enlisted in his regiment should have their own chaplain, and telling the recruits to bring recommendations from their parish priests. Both Harcourt and the Colonel of the regiment repudiated this advertisement as wholly unauthorised, and the offending officer was put in arrest and threatened with dismissal. Harcourt to Weymouth, Feb. 28. Captain Suly to Cunningham, March 13. Blaquiere to North, Feb. 28, 1776.

one side through the pressure of military motives, it was ailed on another side on economical grounds. A large pro- rtion of the Irish landlords were poor and extravagant men constant need of money, and a great part of Irish land could ly be kept in tolerable condition by a large and frequent penditure in drainage. Under these circumstances, the evil the law which forbade Catholics from lending money on ıded security was keenly felt. It added another to the many ıins of wealth which exhausted the nation, for Catholics who d made fortunes in industrial life were naturally led to invest ɛm in foreign securities. The law was part of a policy which ɛ English Government and the Irish Parliament had, with rfect harmony and with undeviating perseverance, pursued er since the Revolution, and which deserves to be regarded one of the most signal instances of short-sightedness recorded the history of legislation. It was their steady object to de- ive the Catholics of all the consequence and power which ıded property affords, to exclude them not only from owner- ip, but from all that bordered upon ownership of the soil; to ake the whole class of landowners and long leaseholders Pro- stants, while the smaller tenants were almost exclusively Catho- , and thus to maintain, and intensify, that profound division d alienation of classes which is the master difficulty of all ɔdern legislation for Ireland, the chief source both of the rbulence and disloyalty of the nation.

A Bill to enable Catholics to invest money in mortgages ɔn land was first introduced into the Irish House of Commons Mr. Monck Mason, an independent member, in 1761, carried a majority of twelve, but rejected in England by the Privy ıuncil. Its success in Ireland was probably due to surprise, : it was discussed on the last day of the session when ly sixty-two members were present; and in the next session ıimilar Bill, being strongly opposed by the Government, was rown out by 138 to 53. The chief argument against it, pears to have been that it would enable Catholics to interfere th the management of Protestants' estates, for immediately ɛr the defeat a motion was made for the introduction of heads a new Bill with a special clause guarding against such inter- ɛence; but this motion, though warmly supported by the lega

members of the House, was opposed by the Government, and defeated by 97 to 53.[1] In 1771, however, a small concession was made. Catholics who desired to expend money and labour in reclaiming what were now unprofitable marshes, were enabled to take leases of sixty-one years for 50 acres of bog, with half an acre of adjoining arable land for the site of a house, and, for seven years after the bog was reclaimed, it was exempted from tithes and cesses. The extreme jealousy with which all concessions to Catholics relating to land were regarded is curiously illustrated by clauses making it necessary to the validity of the lease that the bog should be at least four feet deep, that half of it should be reclaimed within twenty-one years, and that it should not lie within a mile of any city or market town. This was the first step that was taken towards the repeal of the penal code.[2]

In 1772 Mr. Mason again brought forward his Bill for enabling Catholics to lend money on the security of landed property, and it became evident that the question had made much progress. At least three times, during the administrations of Lord Townshend and Lord Harcourt, Bills to this effect appear to have been carried, to have been recommended by the Irish Privy Council, and to have been lost through opposition in England.[3] Townshend, in a private letter to Rochford, strongly opposed the concession. It would lead, he said, to attempts to obtain further relaxations of the Popery laws, which were intended to be perpetual, and which had already so far operated 'that at this day there is no Popish family remaining of any great weight for landed property.' It 'tended to revive an influence which it had been the study of the Legislature to destroy,' and although hopes were entertained that it would draw large sums from the Continent, and greatly stimulate the circulation of money, its political dangers would more than counterbalance its economical advantages. 'There is great personal weight,' he said, 'amongst the professors of that religion, and the majority of the people of Ireland consists of Papists.' The measure

[1] Caldwell's *Debates*, p. 511. Northumberland to Halifax, Feb. 8, 1764.

[2] 11 & 12 George III., ch. 21.

[3] 1771, 1772, 1774. *Letter Books into England* (Irish Record Office). The Bill of 1771 took its rise in the House of Lords. (See the letter of Townshend and Privy Council, April 9, 1772, Irish Record Office.)

would 'give the Popish creditors such a control over those who are in debt as may in particular times operate very strongly.'[1] A Bill for enabling Catholics under certain conditions to take leases for lives was introduced into the House of Commons in 1774, but it does not appear to have been carried beyond its earliest stages.[2]

In spite of the language employed by Townshend, it would not be correct to ascribe to the English Government of this time any systematic hostility to Catholics. The general Irish policy of the successive English ministers in the early years of George III. varied but little, and it may be easily described. They were inflexibly opposed to the independence of the Irish Parliament, in the interests of English authority, and in order to avoid the embarrassment of a fresh parliamentary opposition. They were anxious to maintain the hereditary revenue as a kind of privy purse for the king, to distribute a large number of Irish places and pensions among their English supporters, to make use of the remainder to maintain a complete ascendency in the Irish Parliament, and to induce that Parliament to raise a very large proportion of the military establishments of the empire. But, apart from these ends, they had every wish to govern wisely, mildly, and justly, and they were actuated by no spirit of malevolence or intolerance. Viceroys usually threw themselves into the interests of the country they governed. The instructions given them by the Home Government show a sincere desire for the well-being of Ireland, and it is probable that, both on commercial and religious questions, the English ministers would have done much if they had not feared embarrassments at home. Ireland had no direct influence in the English Parliament, yet an Irish question might easily overthrow an English ministry, and no English ministry was prepared to encounter defeat on such grounds. It was thus that Lord North consented to abandon the chief parts of the commercial bill of 1778 on account of the opposition of the English manufacturers; and Governments, while emphatically acknowledging the loyalty of the Catholics, feared to bring in any measure for their relief, though they continued on cordial terms

[1] April 10, 1772, Townshend to Rochford (Record Office).
[2] Commons' *Journals*, xvi. 419.

with their leaders, and exercised a constant though silent influence in their favour. The anxiety of Lord Halifax to disculpate the Catholics as such from all complicity with the Whiteboy movement is very significant. Perhaps the only provision of the Popery code which can be completely justified was that depriving the Catholic owner of an advowson, of the power of appointing a rector of the Established Church. It appears, however, from letters of Lord Kenmare that the Government, when appointing the clergyman of an advowson in his gift, systematically acted upon his recommendation.[1] As long as the penal laws subsisted, the condition of the Catholics depended largely on the conduct of the agents of the Crown, and it was in a great degree owing to their connivance that the portions of the code which related to the Catholic worship had been allowed to fall into complete desuetude. There was a general feeling spreading in Ireland, as in England, that penal laws against religion belonged to another age; but it is a very memorable and well-attested fact that the Irish Catholics for a long time before 1778 looked upon the Government, not as their oppressor, but as their protector, and sympathised much more strongly with their English rulers than with their native Parliament.[2] At the end of 1767, or in the beginning of 1768, prayers for the King and Royal Family were offered up in the Catholic churches for the first time since the Revolution.[3] The tyrannical and apparently illegal imposts called quarterage, which were levied by the Protestant corporations on Catholic traders were

[1] May 15, 1777, Lord Kenmare wrote to the Lord Lieutenant: 'The living of Hospital, co. Limerick, is in my patent. By the law of Ireland the patronage of recusants is vested in the Crown; the incumbent, the Rev. R. Herbert, is lately dead. He was presented to it on my recommendation by my Lord Townshend; and his predecessor, Mr. Thomas Orpin, obtained it through the same from the late Earl of Harrington. May I presume to recommend to your Excellency Mr. John Lewis, of the College of Dublin?' This letter is endorsed: 'This usage must be particularly inquired into.' On July 22, 1785, Lord Kenmare again wrote, recommending a particular clergyman for the living of Kilarney, of which he was patron.—*Miscellaneous Papers*, Chief Secretary's Office, Irish State Paper Office.

[2] Speaking of the Bill of 1778 in favour of the Catholics, Charlemont wrote: 'I clearly saw the necessity, previous to our intended efforts [for legislative independence], of conciliating the affections of a body of men so very considerable from their numbers, and of dividing at least between Government and Parliament that attachment which for obvious reasons *had hitherto been confined to the former*.'—*MS. Autobiography*.

[3] *Gentleman's Magazine*, 1768, p. 42. Killen's *Ecclesiastical History*, ii. 293.

much resisted in the beginning of the reign of George III., and a Bill to establish and define them was introduced into the Commons by Lucas in 1767, but though it passed the House, the Government stifled it in the Privy Council.[1]

In 1774 a measure was carried which, without bestowing any positive privilege on the Catholics, enabled them to attest their loyalty by taking, before a justice of the peace, the oath of allegiance, and a form of declaration prescribed by law. The Catholic who subscribed this declaration solemnly renounced all allegiance to the Stuarts, repudiated the opinion that heretics might be lawfully murdered, that faith need not be kept with them, and that excommunicated sovereigns may be deposed or murdered, and denied that the Pope had or ought to have 'any temporal or civil jurisdiction, power, superiority, or pre-eminence directly or indirectly' within the realm.[2] It is worthy of notice that, a few years before, De Burgo, the Bishop of Ossory, in his 'Hibernia Dominicana,' had strongly asserted the unlawfulness of a similar oath, but now the bishops of Munster, without even consulting Rome, met at Cork and unanimously agreed that the oath contained nothing contrary to their faith, and they took the same occasion of condemning the treatise of the Bishop of Ossory, and of proclaiming their emphatic loyalty to George III. The Congregation *De Propaganda Fide* afterwards mildly censured them for expressing their opinion without consulting Rome; they stated that the oath, though not contrary to orthodoxy, appeared to them liable to misconstruction; and in the Ultramontane seminaries on the Continent it was much condemned, but in Ireland both ecclesiastics and laymen accepted it with alacrity. It was powerfully defended by O'Leary, and it contributed much to legalise the position of the Catholics, and to allay the fears of those who saw in the rebellion of the Whiteboys against tithes the symptoms of a Popish insurrection.[3]

It was noticed by a writer in 1775 that 'the courts of justice

[1] O'Conor's *History of the Irish Catholics*, pp. 329–330.

[2] 13 & 14 George III., ch. 35.

[3] See a full history of the discussions relating to this oath.—England's *Life of O'Leary*, pp. 53–79. The form of declaration had been drawn up by the Catholic Association at Dublin, with the approval of their Archbishop.

have long . . very much discountenanced the strict execution of the Popery laws,' and that a practice had grown up of evading, by the assistance of Protestants, a portion even of the laws relating to landed property. A Protestant friend filed a bill of discovery against a Catholic landlord, obtained the legal title to his estate, held it in trust for him, and enabled him under the shelter of a Protestant name to evade the chief disabilities of the code.[1] The expense of prosecuting suits under the penal code, and the systematic hostility of the judges, appear to have greatly diminished their number. In 1776, Chief Baron Foster told Arthur Young that he did not know a single instance of a Protestant discoverer getting a lease by proving lands to be let under two-thirds of their value to a Catholic.[2]

It is difficult to reconcile this last statement with the language of a very powerful petition which was presented to the King in 1777 by the Irish Catholic peers and by more than 300 of the principal Catholic gentry.[3] They gratefully acknowledge that much had been done to moderate the rigorous execution of some of the laws, but they complain that 'several, and those the most severe and distressing, execute themselves with the most fatal certainty.' They complain of their inability to purchase land, to hold land in farm 'except on a tenure extremely scanted both in profit and in time,' and to raise the value of their hired farms by drainage or enclosures without making themselves liable to a forfeiture of their leases. 'There are a set of men,' they continue, 'who make it their employment to pry into our miserable property, to drag us into the courts, and to compel us to confess, on our oaths and under the penalties of perjury, whether we have in any instance acquired a

[1] 'By the connivance of the courts, Bills of Equity called bills of discovery, are now used in the nature of common recoveries, to obtain decrees for Protestants ultimately in trust for Papists. And although by means of the great expense attending this practice, and the uncertainty of its being effectual, such decrees are seldom worth being sought for, being at best a precarious security that entirely depends upon private honesty and fidelity, yet it serves to show the temper of the people, that they have a confidence in the integrity of Protestants, and that a little encouragement would finally extinguish every latent spark of jealousy.'—*An Inquiry into the Policy of the Popery Laws* (Dublin, 1775), pp. 108, 109.

[2] Arthur Young's *Tour*, i. 125.

[3] Oct. 13, 1777, *Irish Departmental Correspondence*, Irish State Paper Office. This petition is printed in Curry's *State of the Catholics of Ireland*, ii. pp. 287–293.

property in the smallest degree exceeding what the rigour of the law has admitted; and in some cases the informers, without any other merit than that of their discovery, are invested (to the daily ruin of several industrious, innocent families) not only with the surplus in which the law is exceeded, but with the whole body of the estate and interest so discovered.' In Ireland, they say, informers have almost worn off the infamy that in other countries attaches to their character, 'and have grown into some repute by the frequency and success of their practices.' They complain, however, with especial bitterness of the clauses which enable a son, however undutiful and profligate, by conforming to the Established Church, not only to deprive his father of the power of disposing of or mortgaging his property as the exigencies of his affairs may require, but also himself 'to mortgage, sell, or otherwise alienate the reversion of that estate from the family for ever—a regulation by which a father, contrary to the order of nature, is put under the power of his son, and an early dissoluteness is not only suffered but encouraged, by giving a pernicious privilege, the frequent use of which has broken the hearts of many deserving parents, and entailed poverty and despair on some of the most ancient and opulent families of this kingdom,' while on his deathbed the Catholic has 'the melancholy and almost certain prospect of leaving neither peace nor fortune to his children, for by that law which bestows the whole fortune on the first conformist,[1] or on nonconformity disperses it amongst the children, incurable jealousies and animosities have arisen.'

It was this portion of the penal code which was probably the most efficacious, and was certainly the most profoundly demoralising. Everyone who has mixed much in the world knows how frequently, even in the most religious and the most honourable families, some one member will gravitate, as by an irresistible instinct, into profligacy, dissipation, extravagance, disreputable company, hopeless debt, an utter wreck of moral principle. There are few men who cannot recall many

[1] This statement is curiously inaccurate. 2 Anne, ch. 6, and 8 Anne, ch. 3, provided that if any child of a Catholic conformed he should be at once secured a present maintenance and a further portion out of his father's estates, but it was only the eldest son who by conformity could secure the whole estate.

such instances, and who have not had some opportunity of realising the anguish they produce. In Ireland in the eighteenth century they were proportionately far more numerous than at present. Hard drinking, exaggerated sporting tastes, the tone of idleness, extravagance, and improvidence which was so prevalent in the upper classes made the temptations of young men more than commonly great, and there were probably few large families among the gentry who could not point to at least one member who was gliding rapidly down the steep. Such a member, if he were the son of a Catholic landlord, had only to discard a religion which had no influence over his life, to become at once the favoured child of the law. He reduced his father to the most humiliating dependence, prevented him from selling, mortgaging, or otherwise disposing of his property, secured for himself an immediate maintenance, to the sacrifice of the prospects of all the other members of his family; and if he were an elder son he had always, when debts began to multiply and creditors grew pressing, the resource of raising a mortgage on the family estate without his father's consent, or selling the reversion he had secured. In this manner, by the direct intention of the law, estates, profligates, and spendthrifts, all passed in a steady stream into the Established Church.

This result was, no doubt, anticipated, but there was another consequence of the laws which no one appears to have foreseen, and which, in the latter part of the eighteenth century, began to produce a new class of converts. Debarred from education at home, a great part of the more wealthy Catholic families sent their children to France, and it began to be noticed that the young men who returned from thence were of a very different type from the fervent and simple-minded Catholics of the early years of the century. They came from a country where the whole intellectual energy, where all that was brilliant and fashionable, as well as all that was learned and profound, was intensely anti-Christian. Montesquieu, Voltaire, Rousseau, Diderot, D'Alembert were the undisputed kings of literature. Condillac, Helvetius, and Holbach dictated the philosophy of the day. As early as 1753, Argenson had noticed that the number of communicants was rapidly diminishing, that the

College of Jesuits was deserted, that the priests were on all sides ridiculed or hated, and as the century moved on, the anti-Christian spirit became far stronger and more serious. The tone of literature, the tone of science, the tone of the drawing-rooms was no longer that of scepticism, but of an assured and derisive incredulity. In the Church of Bossuet, Massillon, and Bourdaloue, not a voice of any weight or power was heard in defence of Christianity, and the few who defended it did so mainly on grounds of expediency. The most conspicuous of the clergy had caught the prevailing spirit. Popular preachers began to drop the name of Christ from their sermons, and to speak only of 'the legislator of the Christians.' Great bishops and priors were known in their familiar circles to scoff at the popular belief, and it was said by a good observer that there were probably not more than four or five sincere Christians in the French episcopacy. There was a profound and serious division between atheists of the school of Holbach and deists of the school of Rousseau, but among the overwhelming majority of educated Frenchmen there were but two opinions about Christianity. There were those who regarded it as a noxious superstition which ought to be abolished, and there were those who regarded it as a harmless and beneficent superstition which must, in the interests of social order, be maintained.[1]

Such ways of thinking had been very rare in Ireland, but the circumstances of the Catholics secured a steady influx of French thought. Men who were formed in this intellectual atmosphere were often eminently intelligent, honourable, and moral, but they were not likely to place themselves under a crowd of disabilities for the sake of Catholicism, or to feel any great scruple about giving a nominal adhesion to a religion which was the established faith of their country, and which they believed to be not more false, and somewhat less grotesquely superstitious, than the faith of their fathers. The small stream of educated converts, consisting chiefly of eldest sons of land-

[1] See many illustrations of this in Taine's *Ancien Régime*, pp. 375–384. A remarkable example of the extreme incredulity which was sometimes found among high-placed ecclesiastics is furnished by the life and writings of the Benedictine monk Dom Deschamps. See the curious book of Beaussire, *Antécédents de l'Hégelianisme dans la Philosophie Française* (Paris, 1865).

[illegible] of men who desired to enter the law, perceptibly increased, though there does not appear to have been the smallest spirit of religious proselytism among the Protestants, and though the administration of the penal code had been greatly relaxed. Between 1702 and 1775, 4,055 converts only, had been registered in the Court of Chancery, and it was noticed that no less than 2,177 of these had been registered within the last twenty-one years.

More than eighty years had now passed by since any act of rebellion or conspiracy or political turbulence had been proved against Catholics in Ireland. They had maintained an absolute, unbroken tranquillity during the Scotch rebellion of 1715, during the expedition organised against the House of Hanover by Alberoni in 1719, during the great rebellion of 1745, during the long and desperate war that terminated in 1763, and amid all the complications that had since arisen. Standing completely apart from the factions and violence of Protestant politics, they had rarely appeared in public life except to proffer their services to the Crown; and officials in high position had repeatedly acknowledged that the severest scrutiny had discovered no trace of treasonable conduct among them, and had consented that, in times of great danger to the Empire, Ireland should be left almost destitute of troops. Those who might have been leaders or agents in sedition had long since been scattered over the Continent. The ascendency of the landlords over their tenants was as yet undisputed, and the Catholic landlords were ardent in their loyalty to the Crown. No independent Catholic press had yet arisen. The mass of the population remained torpid, degraded, and ignorant; but, although crimes of violence and turbulence were common among them, those crimes were wholly unconnected with politics. Protestants were beginning to ask themselves how long, under such circumstances, the system of proscription was to continue—whether laws which paralysed the industry of the great majority of the Irish people, which kept them in enforced ignorance and poverty, which directly discouraged those manly and energetic qualities that are most essential to national well-being, could be or ought to be maintained for ever.

[1] See Grattan's *Life*, i. 266

The general aspect of Catholicism, both in Europe and America, greatly strengthened the case. Probably at no period since the days of Constantine was Catholicism so free from domineering and aggressive tendencies as during the Pontificates of Benedict XIV. and his three successors. The spirit of Ultramontanism seemed to have almost evaporated even in Italian counsels, and in Western Europe the prevailing type of theology was studiously moderate. In 1757, the Catholic Association issued a declaration of principles drawn up by O'Keefe, the Bishop of Kildare, in which they abjured in the strongest terms the doctrine that any ecclesiastical power in the Church had the right of deposing sovereigns, absolving subjects from their oaths, making war upon heretics as such, exercising any temporal power or jurisdiction in Ireland, or committing any act which is in its own nature immoral. They denied with much truth that the infallibility of the Pope was an article of the Catholic creed, and they solemnly pledged themselves to do nothing to disturb or weaken the existing establishments either of property, government, or religion.[1] All over Europe the influence of the Catholic clergy was employed on the side of authority, and Catholic populations were nearly everywhere almost wholly destitute of that spirit of political self-assertion, and of that systematic jealousy of authority which leads to civil liberty, but which also makes nations difficult to govern. Nearly all the political insurrections of modern times had been among Protestants. Political liberty since the Reformation had nearly everywhere followed its banner, and the countries where even the worst rulers found themselves most uncontrolled were nearly everywhere Catholic. 'I hold a Popish people,' wrote Henry Brooke, with great force and justice, 'to be of all people the most amenable and submissive to rulers, whatever the form or nature of that State may be under which they shall happen to be subjected.'[2] The experiment of governing Catholics and Protestants by the same laws and under Protestant rulers had been already frequently tried. In Holland it had been for generations the policy of the Protestants to root the Catholics in the soil by placing them on an equality with their fellow-countrymen, and

[1] Parnell's *History of the Penal Laws*, pp. 78–82.
[2] *Brookiana*, i. 193.

giving them the same interest in the prosperity of the State; and the result had been that historical antipathies, scarcely less violent than those of Ireland, seemed to have entirely disappeared. In Saxony, in Silesia, and in Hanover, the two religions had been successfully blended. The inhabitants of Minorca were originally Spaniards. From the time of the cession of the island to England at the Peace of Utrecht, they had been permitted the full enjoyment of their religion, and, although there had been two wars with Spain since the cession, and though the island had been conquered by France, the inhabitants had never shown the smallest impatience of English rule. In 1774 a new experiment of the same kind had been tried in Canada by the Quebec Act, and it was already evident that, while the old Anglo Saxon colonies were fast breaking from the mother-country, the newly acquired Catholic province was disposed to remain firm in its allegiance.

These considerations were beginning to have their weight upon Irish politicians, and in truth, if the question had been merely one of religion, if it had not been aggravated by a confiscation of property and by profound historical antipathies and antagonisms, it would probably have presented little difficulty. It was, however, quite certain that the great mass of the Catholic population in Ireland were as yet utterly unfit for the exercise of political power except under the guidance and training of the more enlightened classes. In a well-constituted society, property, tradition, and social eminence would have marked out for them natural leaders of their own creed. In Ireland such leaders did not, as a rule, exist, and it was the misfortune of the country that the most powerful influences dissociated the upper classes from the lower. Was it possible for a gentry who were almost all Protestant, and who were burdened by so many unhappy historical antecedents, to fulfil the indispensable task of leading, controlling, and educating the masses of their countrymen? On the answer to this question the political future of Ireland mainly depended.

It was only by slow degrees that Irish Protestant opinion became actively favourable to the Catholics. Whig traditions in Ireland, as in England, were extremely anti-Catholic, and *many* of the earlier defenders of Irish liberty desired that

liberty only for a small minority of their fellow-countrymen. Anthony Malone, it is true, seems to have early seen the evil of the penal laws, and Langrishe and Dennis Daly were steady friends of the Catholics,[1] but Lucas, who was long so prominent in the Irish national party, was virulently and aggressively anti-Catholic.[2] No one wrote more ably against the commercial restrictions than Sir James Caldwell, but when the Bill enabling Catholics to lend money on landed security was introduced, this measure, which was politically so moderate and economically so beneficial, was opposed by Caldwell not only in the Parliament but in the press. He dilated upon the contrast between the indifference of the Protestant clergy and the indefatigable earnestness of the Catholic priests, and upon the peculiar intensity which a long period of persecution had given to the Catholicity of the Irish people.[3] He said that there was scarcely a Popish family in Ireland which had not some relative who was either a priest, or enlisted in a foreign army, or engaged in trade in France or Spain; that their children were all taught Latin in the hedge schools which were scattered through the southern parts of the kingdom in order to qualify for foreign service; that the few Popish landlords had none but Papists on their estates; that one Justin McCarthy, merely by the number of his debtors, kept the Protestants of a large district in awe of him, and had prevented during many years the execution of the penal code; and he concluded that any measure which increased the power of Catholics would be dangerous to Ireland. Flood was prepared to give the Catholics complete religious toleration and some economical advantages, among others the right of taking long leases and even of purchasing land;[4] but through the whole of his career

[1] See Grattan's *Life*, i. 59, 265–267, 290.

[2] Plowden's *Historical Register*, i. 302. O'Conor's *History of the Irish Catholics*, p. 330.

[3] 'A Papist in a Popish country may be only nominally so . . . . but no man in Ireland who is indifferent about religious principles and duties is a Papist nominally. The nominal Papist in Ireland is a Papist in fact; he has not the name but the essence of his religion, and however he may err in his morals, he is always a sincere Papist as to his tenets, and by his profession of that religion he gives a public, a constant, and an indubitable test that he will sacrifice interest to what he believes to be his duty.'—*Examination whether it is expedient to enable Papists to take Real Securities*, by Sir James Caldwell, F.R.S. (Dublin, 1764), p. 20.

[4] Warden Flood's *Life of Flood*, p. 145. Grattan's *Life*, i. 266.

he was indelibly opposed to giving them any measure of political power. Charlemont, one of the purest as well as one of the most prominent of Irish patriots, took the same course. While frequently supporting measures for mitigating the economical condition of the Irish Catholics, he steadily maintained that neither arms nor votes could be safely given to them. In a private letter to one of his most intimate friends, he predicted that at least a century must pass before the Catholics could be safely entrusted with the rights of citizens;[1] and in an autobiographical fragment which he bequeathed to his children he expressed his full approbation of the penal code. It was absolutely necessary, he said, that the armed minority should take away from their numerous antagonists every element of power. 'Their inferiority in numbers could only be compensated by such a superiority in arms and discipline as might make one man equal to ten.' An exclusive legislative power was necessary, and therefore the penal laws relating to land were necessary, and it was good policy to hold out every inducement to conformity. 'From the natural operation of the laws, and from many other concomitant causes, the Protestants increased in strength, and the Catholics, though still retaining a great superiority in numbers, grew weaker. The greater part of the old Catholic gentry had, either from conviction or convenience, conformed to the established and ruling religion, and the quiet behaviour of the oppressed people had, or ought to have, well nigh obliterated the memory of their former excesses.'[2]

While himself firmly holding these views, Charlemont acknowledged that towards 1778 a great and rapid change had passed over the sentiments of the Irish Protestants, and he has

[1] 'You say, and you say truly, that the door of education should previously be opened to the Catholics, and an indulgence granted to the legal profession, and here agreeing with you, I am happy in the opportunity to declare that in any thing I have said I never meant to insinuate that a day of assimilation and consequent communication of every franchise might not arise, though I cannot be as sanguine as you are, respecting the nearness of that period. It would, *in my opinion*, require a century at least of the best education, before our semi-barbarians could be brought to assimilate with their fellow-subjects, and to a capacity of duly performing the functions of a citizen.'—Charlemont to Dr. Halliday, Dec. 13, 1791. —*Charlemont Papers.*

[2] Ibid. So Flood, in his speech on the Catholic question in 1782, said: 'The laws that followed this event [the Revolution], were not laws of persecution, but of political necessity.'—*Life of Flood*, p. 144.

taken much pains to analyse its causes. He attributes it partly to a prevailing spirit of toleration, springing in his opinion 'rather from fashionable Deism than from Christianity, which was now unfortunately much out of fashion,' and partly to the growth of a considerable Catholic interest which, directly or indirectly, exercised some political power. Catholics who had conformed in order to keep their lands, or to enter the law, were still united by blood and friendship and sympathy to the recusant body. In the southern counties, at the time when the provision trade was flourishing, many Catholic merchants had acquired large fortunes and great local influence, and they exercised some indirect patronage over Protestants, and were the chief money-lenders in the island. In some counties, land was let in very large portions to Catholic tenants, and it was the obvious interest of the landlords that those tenants should not be prevented by law from improving their farms. But in addition to these reasons there were others of a more purely political character. The desire for national independence was growing stronger and stronger in Ireland. The wretched condition of the finances, the corrupt disposal of patronage, the refusal of the English Parliament to grant that commercial liberty which was essential to Irish prosperity, and, above all, the example of America, had strengthened incalculably the old spirit of Swift and of Molyneux. In the words of Flood, 'a voice from America had shouted, to liberty,' and, although the loyalty of the Irish Protestants to the English Crown was unshaken, there had arisen among them a strong aspiration towards legislative independence, and a conviction that it could only be attained if the Catholics were at least conciliated.

A great personal influence had also arisen in the Irish Parliament. A young man had lately entered its walls whose eloquence—surcharged, indeed, with epigram, and disfigured by a strong, though perfectly unaffected mannerism, but in the highest degree original, vivid, nervous, thoughtful, and picturesque—placed him, for the space of forty years and in two Legislatures, in the first rank of contemporary orators, while his transparent simplicity and purity of character, and his ardent and self-sacrificing patriotism, gave him a rare power of influencing those about him. It was the first principle of Henry Grattan

that 'the Irish Protestant could never be free till the Irish Catholic had ceased to be a slave;' and as early as 1778 Charlemont attributed to the extraordinary eloquence and influence of Grattan a great part of the change which on the Catholic question had passed over the minds of the Irish Protestants.[1]

The Government also had but little reason to oppose it. Hitherto they had usually been the friends of the Catholics. They had carried the great measure by which the Catholic Church was established in Canada. They had just supported a Bill slightly mitigating the persecuting laws against the English Catholics, and they were quite sensible that a conciliatory policy towards Ireland was necessary. The country seemed on the verge of bankruptcy. Distress and misery, with their inevitable attendant, political discontent, were increasing. The Presbyterians were openly on the side of America; the example of the colonies was kindling a strong sentiment of nationality, and it was thought by many that Ireland, which had become the chief dependency of the Crown, would follow the example of the revolted colonies. The Government had every reason to strengthen its alliance with the majority of the nation which had not yet caught the contagion of American independence, and which naturally leaned most strongly on the side of authority, at a time when the country was almost undefended, and when two great Catholic powers had just declared their hostility to Great Britain.[2]

A few years before, some unofficial communications on the sub-

[1] Autobiography, *Charlemont Papers*.

[2] 'Government was now induced to court the Papists by their fear of the Protestants, and wished to oblige and strengthen that party which, as well from the influence of a servile religion as from its precarious situation in the country, was likely, they thought, to be wholly dependent on them, thus raising what they deemed a necessary barrier against those encroachments which they now began exceedingly, and not without reason, to dread.'—Ibid. Walpole, who was bitterly opposed to all concessions to the Irish Catholics, complains that *about 1776*, Colonel Dalrymple had been raising Roman Catholics in Ireland for the King's service, and had been assisted by the Popish Archbishop of Tuam, and he says that he had himself heard a person in very high office say 'that the Presbyterians were the worst subjects that the King had, and that the Roman Catholics were better subjects.' He mentions that Conolly, who was a conspicuous member of the Irish Parliament, and who had also a seat in the English one, said of Ireland: 'if the French land in the south every man there will join them, and if the Americans land in the north they will be as gladly received there by the Presbyterians.'—*Last Journals*, ii. pp. 25, 85, 235.

ject are said to have taken place between the English Government and the Vatican, and Hervey, the Protestant Bishop of Derry, who was then at Rome, appears to have been mixed up with them.[1] This very singular personage, who will appear conspicuously in another part of this narrative, was steadily favourable to a Catholic Relief Bill. The measure of 1774, enabling the Catholics to testify their loyalty, is said to have been first suggested, and was strongly supported by him,[2] and in May 1778 he wrote from Rome an exceedingly alarming letter to Pery, the Speaker of the Irish House of Commons, predicting the terrible consequences that would ensue if the relief of the Catholics were delayed.[3] 'Ireland,' he said, 'if the war with France takes place, must almost inevitably be thrown into the greatest confusion; the first blow will certainly be directed there, and the Roman Catholics, exasperated by repeated disappointments, are ripe for an almost general revolt. Whether this disposition originated here, or was only stimulated and encouraged here, I cannot say; but of this I am very well informed, that no encouragement is wanting, and that, some few prudent persons excepted, the hopes of the remainder are as sanguine as their exhortations are animated. The real intention is to render Ireland independent, and to establish, as in the Swiss Cantons, a reciprocal toleration of religions, to abolish all tithes except such as are to be paid by the Roman Catholics to their own clergy, and to throw themselves under the protection of France and if possible of Spain. If this attempt should not succeed, their project is then to make as general an emigration as possible, and to settle in that part of Spain which was offered to them some years ago, or else in a part of the Pope's territory which is within forty miles of Rome, and now actually preparing for some very extensive colony; and if my friend is not egregiously misinformed, this colony will be from Ireland. The disgust which prevails here upon the baffling of every attempt to relieve their countrymen is better conceived than expressed.' The bishop thinks that a 'reasonable concession in time' would secure the

[1] See Saint Priest, *Hist. de la Chute des Jésuites*, pp. 131, 314.

[2] England's *Life of O'Leary*, pp. 53, 54.

[3] This letter is in a curious and valuable collection of letters to Pery (some of them by Burke), in the possession of Lord Emly, to whose kindness I owe my knowledge of them. They have been printed in a little magazine called *The Irish Monitor*, for April 1878.

allegiance of the Catholics, and he had been writing copiously to Lord Hillsborough on the subject. What was required was 'a legal exercise of that silly but harmless religion which they now exercise illegally,' and a repeal of the Gavel Act, which breaks up the landed properties of Catholics by an equal division among the children, and 'has so reduced the list of the Papist nobility that all the influence of the Popish people and gentry is thrown into the hands of the clergy.' If such measures were taken, a French landing in Ireland would not produce an insurrection of fifty Papists. This toleration should at least be granted to all who had taken the new oath of allegiance, and it would contribute to sunder those who were simply Catholics from those who were the supporters of an aggressive political faction.

The Government did not altogether and decidedly adopt this view. In the beginning of the year the Catholics had presented a petition asking for relief, but it had not been favourably received. 'Their complaints,' Lord Buckingham wrote, 'extend to almost the whole of the Popery laws,' and he adds, 'It does not appear to me that they were in any degree admissible, and I presumed it would appear in the same light to His Majesty.'[1] The time, he said, was a very unfavourable one for such measures, which might throw the country into a flame when it was more than commonly important that it should be quiet. But although the Government would have gladly postponed the question, the independent party would not acquiesce in this course, and in May the Lord Lieutenant wrote that, in consequence of the recent Bills in favour of Roman Catholics in the English House of Commons, 'measures of a similar tendency are in agitation here; but as there is a prospect of a warm opposition, particularly to the Gavelling clause which is deemed by the gentlemen of that persuasion one of their most oppressive grievances,' he desires to know what course the Government should take. His own opinion and that of the Primate was that Catholics should be put as far as circumstances would admit on a par in both kingdoms. Lord Weymouth thought this opinion a very

[1] *Buckingham* to Weymouth, March 4, 1778. See, too, the reply of the *English* Government, March 28.

reasonable one, but left it altogether to Buckingham to determine what relief can be prudently given.[1]

It appears, then, that the measure of relief originated not with the Government, but with the independent members of Parliament, but it is also certain that the Government readily accepted and warmly supported it. Lord North, in the debate on Irish commerce, had taken occasion to say a few sympathising words in favour of the Catholics, and when Mr. Gardiner introduced his Bill in June 1778, members attached to the Government were ready to assist him. No detailed report of the debates exists, but we know that Yelverton, who was one of the ablest of the party which on national questions supported the views of Grattan, took a leading part in preparing the Bill and that Grattan himself spoke in its favour.[2] Lord Buckingham's secretary writes that 'a general inclination to give relief to the Roman Catholics' was expressed in Parliament, 'but there was a variety of opinion both as to the mode and as to the extent.' The great question of division was whether Catholics should be permitted to purchase land in freehold or should only be allowed to take land at leases of 999 years. The latter was carried by 111 to 108, and, although it was now one in the morning, those who desired to restrict the Catholic concessions were so encouraged by the division that they desired still to continue the debate; but the Government, in the interest of the Catholics, carried an adjournment by a majority of three. A new and very serious difficulty, however, was produced by a clause for relieving the Presbyterians of the test, which was introduced by Sir Edward Newenham, a member who afterwards showed a strong desire to strengthen the democratic element in the constitution. As the sacramental test had originally been introduced into Ireland in a Popery Bill, there was a manifest propriety in relieving the Dissenters in this manner as well as at this time, but the Government, who looked upon the Presbyterians as pre-eminently the American party, were extremely opposed to it. 'It was intended,' the secretary wrote, 'to oppose giving liberty to receive this clause,

[1] May 24, 1778, Buckingham to Weymouth. May 31, 1778, Weymouth to Buckingham.

[2] Plowden, i. 463. Grattan's *Life*, i. 289.

but it being urged even by the servants of the Crown that the refusing to hear what might be said in favour of that considerable body of his Majesty's subjects would be an aggravation of what they deemed a grievance, the motion was suffered to pass.' 'It appears that this question respecting the test will occasion very great difficulties, as many people seem inclined to the measure.'[1]

The debates appear to have been very animated. They were prolonged for several nights, and lasted till two or three in the morning. It was agreed that the Catholics, in taking a 999 years' lease, should pay a money rent; but as its amount was not specified, it might be merely nominal. The Test Clause was supported partly by the genuine friends of the Presbyterians, and partly by a small body of whom Lord Shannon and Lord Ely were the leaders, who were hostile to the whole Bill, and who imagined that the new clause would introduce such an element of dissension that it would be wrecked; but the House of Commons passed the Bill with the additional clause. In the Irish Privy Council some members objected to the whole Bill, and others to the clause in favour of the Dissenters, but neither section was sufficiently numerous to divide. 'I must, however, give it as my opinion,' wrote the Lord Lieutenant, 'that a much greater number would have appeared against the Presbyterian clause if they had not conceived that it might be more properly rejected in England.' 'If the Bill is returned to us,' Pery at this time wrote to Burke, 'with the Test Clause it will not meet with any opposition in our House, but it will be in much danger in the Lords. If it be without the clause, the fate of it will be uncertain in our House, and it is feared that the rejection of it, though a matter of no real benefit, will raise a dangerous flame in the north.' The English Privy Council sent back the Bill, shorn of its concession to the Presbyterians, and the enemies of the Catholics hoped that the Irish House of Commons would be so exasperated at the mutilation that they would reject the whole measure. They acted, however, more wisely, and the first great relief Bill for

[1] Sir R. Heron to the English Government (the address not specified), June 17, 1778.

the Irish Catholics was carried through the Commons by 127 to 89, through the Lords by 44 to 28.[1]

It enabled the Catholics, on taking the oath of allegiance and a prescribed form of declaration, to hold leases of land for 999 years, though they might not purchase the freehold, and also to inherit land in exactly the same way as Protestants. The eldest son was no longer to be tempted to conform in order to secure the heritage; the properties of those who refused to conform were no longer to be broken up by compulsory division; and the great temptations which the old law had held out to profligacy and undutiful conduct in Catholic families were abolished. Any child could no longer, by conformity, secure a maintenance from his father's estate, and the eldest son could no longer make his father a mere tenant for life and mortgage his property without his consent. Converts to Popery, however, and converts to Protestantism who had relapsed, were exempted from the benefit of the law. The preamble emphatically acknowledged 'the uniform peaceable behaviour' of the Catholics 'for a long series of years,' and expressed the desire of the Legislature 'that all denominations should enjoy the blessings of our free constitution.'[2]

The Act gave much and promised more, and making every allowance for the great influence Government habitually exercised, and also for the strong opposition which some portions of the measure undoubtedly encountered, the conduct of the Irish Parliament in passing it by so large a majority shows a very marked advance in the spirit of toleration. Burke, who was at this time corresponding actively with Pery in favour of the Catholics, was much struck with the improvement. 'The Irish House of Commons,' he wrote, 'has done itself infinite honour. . . . It gave me great pleasure to find, as I do from many accounts, that without derogating from the talents of the gentlemen who dissented from the Toleration Act, the far greater weight of the abilities and eloquence of the House was on the side where eloquence and ability ought ever to be—on

[1] Buckingham to Weymouth, June 20, 25. Weymouth to Buckingham, July 24. Heron to English Government, Aug. 5, 1778. *Irish Monitor*, April 1878, pp. 191–192. The account in Plowden is not accurate, and he seems not to have been aware that the test clause was passed by the Irish Commons.

[2] 17 & 18 Geo. III., ch. 49.

the side of liberty and justice.' 'You are now,' he continued, 'beginning to have a country, and . . . I am persuaded that when that thing called a country is once formed in Ireland, quite other things will be done than were done whilst the zeal of men was turned to the safety of a party, and whilst they thought its interests provided for in the distress and destruction of everything else.'[1] Outside the House the concession to the Catholics created no serious discontent among the Irish Protestants. As far as I have discovered, the Corporation of Cork alone petitioned against the Bill when it was proceeding, and it seems to have been universally acquiesced in when it had passed. Two years later the small relief which was granted to the English Catholics convulsed both England and Scotland with agitation, and London itself was for three days almost in the power of an anti-Catholic mob.

[1] Burke to Pery, Aug. 12, 1778.

CHAPTER XVII.

IRELAND, 1778-1782.

THE modification of the Commercial Code and of the Popery Code are sufficient to make the year 1778 very memorable in Irish history. Another movement, however, which was even more important in its immediate consequences, may be dated from the same year. I mean, of course, the creation of the Irish Volunteers.

We have seen that in every war which had taken place since the Revolution, Ireland had been an assistance and not an embarrassment to England, and that, whatever may have been the faults of the Irish Parliament—and they were many and great—the English Government, at least, had no reason to complain of any want of alacrity, or earnestness, or liberality in supporting the military establishments. This, however, was partly due to the disturbed, half-civilised, and half-organised condition of the country, which had given the ascendant class a peculiar aptitude and taste for military life, and which rendered the presence of a considerable armed force necessary for the security of the country. Outrages like those of the Whiteboys, the Oakboys, and the Steelboys could not be otherwise repressed, and in the wilder parts of the country soldiers were often required to discharge ordinary police functions. It was an old complaint that in time of war Ireland had often been left almost unprotected, and it was an old desire of the country gentlemen that a permanent militia should be organised which would be less expensive than regular troops, and equally efficient in maintaining internal tranquillity. Bills to this effect more than once passed the Irish House of Commons. Lord Townshend, though seeing some difficulties in the way of the scheme,

was disposed to recommend it,[1] but nothing in his time was done. When the war with France appeared inevitable, the question of a militia revived, and a Bill creating such a force was carried, and returned from England; but it was not put in force. Financial difficulties, the lateness of the season, hopes that the French danger might pass away, fears lest the militia might interfere with recruiting for the army, and, perhaps, jealousy of a purely national force, appear to have been the principal motives of the delay, and when the war actually broke out, Ireland found herself almost absolutely without the means of maintaining tranquillity at home, or of repelling a foreign invasion. The English fleet was occupied elsewhere, and the Irish coast was unprotected. It was said that little more than a third part of the 12,000 men who were considered necessary for the defence of the country were actually there, and they were concentrated chiefly in one or two encampments. The treasury was empty, and Government was, therefore, utterly unable to form a militia. In April 1778, Lord Buckingham wrote with great urgency that it was the general sense of the House of Commons, of the Lords of the Council, and of all degrees of people in Ireland, that in case of invasion, or apprehended invasion, either a militia, or independent companies of volunteers, were absolutely necessary for the protection of the country. But the Government, with the best intentions, was utterly unable to discharge the primary duty of securing the country. Its poverty was such that it was found necessary to borrow 20,000*l.* from Latouche's Bank, and all salaries and pensions, all civil and military grants, and all the most ordinary payments from the Treasury, were suspended. A militia was impossible, for there were no means of supporting it,

[1] 'A militia scheme for 5,000 men has been proposed in Parliament here. It will cost the public about 20,000*l.* in the two years. Our not opposing this measure had this good effect, that it brought the country gentlemen to our assistance in restraining the money grants.'—Townshend to Weymouth, Nov. 24, 1769. In October 1770, he decidedly recommends the scheme, and says: 'The case appears to me very different between a militia in Great Britain and Ireland. In the former the difficulty has arisen from the officers, from the provincial disputes, and other causes which affect them. In Ireland the difficulty, in the south especially, will be to find the men, for as to the officers, there are so many gentlemen upon half-pay who have served, and the situation of the landed Protestants is so peculiar, that there can be little doubt but, upon proper encouragement, a militia here would soon be officered.'

but 'several gentlemen of considerable property declared in the House of Commons that they would, if authorised, raise, without loss of time, independent companies, formed out of their respective tenantries, of men upon whom they could depend.' Buckingham recommended that such companies should be raised under royal sign manual, the Government providing the arms, accoutrements, and pay; but it was soon found that even this, though much less expensive than a militia, was financially impossible. Meanwhile privateers were beginning to swarm around the coast. The communications even with England were greatly obstructed, and rumours of invasion increased. Parliament was in recess, and Government feared to assemble it. All through the country, but especially in the maritime towns, there was terror and insecurity, and it became evident that as Government was completely paralysed, as the executive could do nothing for the defence of the country, the greatest disasters were to be feared unless the gentry took the matter into their own hands and acted very much as if Government had been dissolved.[1]

They were fortunately peculiarly well fitted to do so, and the strong feudal attachment which, in spite of many faults on both sides, and many causes of discord and antagonism, still subsisted over the greater part of Ireland between the landlords and the tenants, enabled them with very little difficulty to summon a large force. The number of Irishmen who had served in the last war was extremely great, and there was no want of old soldiers who were quite capable of marshalling the recruits.[2] It had been a common custom, when soldiers were wanted in Ireland, to commission great proprietors to raise them; and Lord Aldborough, Lord Bellamont, Lord Drogheda, Sir James Caldwell, and several other large proprietors, had raised considerable forces for the Crown. In 1760, when Thurot had effected a landing on the Irish coast, the rapidity with which the northern

[1] Buckingham to North, April 21, 1778, Charlemont's *Autobiography*. Most of the more important Government letters relating to this period have been printed in Grattan's *Life*, i. 296–391.

[2] Hely Hutchinson, in a book published in 1779, stated that the number of Irishmen serving in the fleets and armies of Great Britain in the last war was computed at 100,000.—*Commercial Restraints*, p. 236. Of the troops on the Irish establishment Charlemont estimated that about half had before the augmentation been usually on foreign service.—Charlemont's *Autobiography*.

peasantry could organise themselves for self-defence was strikingly displayed. Lord Charlemont, as Governor of the county, hastened to the scene of the invasion, and he found that more than 2,000 men, armed for the most part with the weapon called in Scotland the Lochaber axe—a scythe fixed longitudinally to the end of a long pole—had already assembled around Belfast, formed themselves into regular bodies, chosen their own officers, and, without the smallest tumult or riot or drunkenness, organised the defence of the town. The impression the scene made on his mind was not forgotten amid the dangers of 1778, and it was remembered that the Duke of Bedford in his speech from the throne had eulogised in warm terms the spirit shown on this occasion by the people, and had attributed it solely to their firm attitude that the French had not advanced beyond the walls of Carrickfergus.[1] In the Whiteboy agitation a similar spirit had been shown, and large bodies of volunteers organised by the country gentry had done much to pacify the disturbed districts and hunt down the marauders. Now, again, in the face of a still more pressing danger, associations for defence were everywhere formed among the Irish gentry. Official news having come about this time that a French invasion of Belfast was imminent, the Mayor asked for troops for its protection; but it was answered that only half a troop of dismounted horsemen and half a company of invalids could be spared to defend the capital of Ulster.

The people at once flew to arms. A sudden enthusiasm, such as occurs two or three times in the history of a nation, seems to have passed through all classes. All along the coast associations for self-defence were formed under the direction of the leading gentry. They elected their officers, purchased their arms and accoutrements, assembled regularly under the direction of old soldiers to acquire military discipline, and without any legal obligation submitted themselves to the rules of a strict discipline. The chief persons in Ireland nearly everywhere placed themselves at the head of the movement. The Duke of Leinster commanded the Dublin corps; Lord Altamont that of the county Mayo; Lord Charlemont that of the county of Armagh; and in most counties the principal

[1] Hardy's *Life of Charlemont*, i. 112–116.

landlords appeared at the head of bodies of their tenants. Large private subscriptions were raised to purchase accoutrements, and great sacrifices were made. The Catholics were not yet enrolled, but they subscribed liberally towards the expense. Those of the county of Limerick alone, raised 800*l.*, and those of Drogheda, Dingle, and other parts, exhibited a similar spirit.[1]

Lord Buckingham watched the rising movement with mingled sentiments, of which the most prominent was an impotent dismay. He could not deny that the volunteer movement was indispensably necessary to the security of the State; that the men who formed and guided it were the most considerable and upright in the country; that they were fulfilling with great energy and great ability a task which belonged properly to the Government, but which the Government was entirely unable to accomplish. On the other hand, he could not but look with alarm on a great body of armed men, rising up altogether independently of the Government at a time when so many causes and elements of discontent were circulating through the nation. His confidential correspondence with the Government reveals the situation more clearly than any description I could give, and shows at once the character of the volunteers and the real sentiments of the Government. In December 1778, he wrote to Weymouth, describing the condition of affairs, how when war with France had become inevitable he found it impossible, in the condition of the finances, to raise troops for the protection of the country, how the scheme of raising a militia seemed to him equally impracticable, and how the idea then arose among the people that they must associate to defend themselves. 'Several of them,' he says, 'accordingly formed themselves into troops and companies, and applications were made to me to supply them with arms and ammunition. Though they consisted of Protestants, in general under the direction of persons of distinction, uniformly professing that they had nothing in view but the defence of their properties, . . . and though similar associations were formed during the Government of Lord Harcourt, in order to oppose the violence of the Whiteboys, . . . I could not comply with

[1] Grattan's *Life*, i. 343.

any request of this nature, such associations, however justifiable in extreme dangers, not being allowable by law. I have made it my constant care to inquire into their conduct, and have not found that any bad consequence followed from it; on the contrary, they have contributed to the preservation of the public peace, and being persuaded that any efforts of Government here to stop their proceedings, . . . without making any other provision for the defence of the kingdom, might have made impressions of a dangerous tendency, I did not attempt to suppress them. I now find that these associations are spreading into the internal part of the kingdom.'[1] About six months later he wrote a very curious letter which clearly shows his dread of the new body, and his desire to suppress it at the very time when it was confessedly discharging duties of the first importance to the State. 'Upon receiving,' he says, 'official intelligence that the enemy meditated an attack upon the northern parts of Ireland, the inhabitants of Belfast and Carrickfergus, as Government could not immediately afford a greater force for their protection than about sixty troopers, armed themselves, and by degrees formed themselves into two or three companies; the spirit diffused itself into different parts of the kingdom, and the numbers became considerable, but in no degree to the amount represented. Discouragement has, however, been given on my part as far as might be without offence, at a crisis when the arm and goodwill of every individual might have been wanting for the defence of the State. In the interior and remote parts of Ireland where magistrates are scarce, and those few act with reluctance and timidity, the mode of suppressing them would have been difficult and delicate. . . . Protestants might with some plausibility have murmured if they had not been indulged in arming in their own defence, at the moment when the Legislature was holding out protection to a denomination of men whom they so long had deemed their inveterate enemies. Those who arraign this proceeding do not consider that without this force the camps could not have been formed, or the interior country must have been abandoned to riot and confusion, and many parts of the coast left defence*less*. . . . By the Act of the 1st of William and Mary, c. 1, sec. 2,

[1] Buckingham to Weymouth, Dec. 12, 1778.

the subjects of Ireland may carry arms for their own defence, . . . and it would be a question of nice decision to determine whether they might not be justified at a time of declared public danger in learning the use of them. The seizing their arms would have been a violent expedient, and the preventing them from assembling, without a military force, impracticable. . . . My accounts state the number of the corps as not exceeding 8,000 men, some without arms, and in the whole very few who are liable to a suspicion of disaffection.'[1]

The disquietude of the Lord Lieutenant may be easily understood. The utter paralysis of Government, the refusal of the English Parliament to grant the free trade which was indispensable to Ireland, the close affinity between the American cause and that of Ireland, the profound and justifiable discontent at the present condition of Ireland which pervaded all classes, and the creation of a great army, which was a manifest expression of the Protestant sentiment of the country, and which could not be managed or controlled like a parliament of boroughmongers, were all sufficiently alarming. In November 1778, an address to the Irish, bearing the name of Benjamin Franklin, and pointing out the close connection between American and Irish interests, was widely circulated.[2] In the following February the sheriffs of Dublin represented to the Lord Lieutenant that in that city alone more than 19,000 persons connected with the weaving trade, besides many other poor, were on the brink of starvation, and that nothing but an 'extension of trade and a free export of their manufactures' could save them.[3] In April a great meeting was held in Dublin, at which all present pledged themselves not directly or indirectly to purchase any of the goods or manufactures of Great Britain that could be manufactured at home. 'It concerns me greatly,' wrote Buckingham, when reporting this meeting, 'to mention that the discontent of this kingdom seems increasing, fomented, I apprehend, by French and American emissaries. The alarms given by some are certainly exaggerated, but still the general appearance is serious,'[4] and if the present session of the English

[1] Grattan's *Life*, i. 349.
[2] Nov. 4, 1778 (Record Office).
[3] Feb. 25, 1779 (ibid.)
[4] Buckingham to Weymouth, April 29, 1779.

Parliament closed without some favour to Ireland, he looked forward to formidable opposition when the Irish Parliament met.[1] He soon speaks of the 'insinuations which are daily circulated in the public prints that the idea of the number of the volunteers may conduce to the attainment of political advantages for their country.'[2] He speaks of 'how very little is known of the interior and remote parts of this kingdom, and how difficult it is to obtain intelligence that may be depended on.' Having made it a rule from the beginning to decline giving any sanction or encouragement to the volunteers, 'it has seldom happened,' he says, 'that I have known anything of the associations until I saw them in the public newspapers. . . . Delicately circumstanced as Ireland is at present, it is scarcely possible in my situation to avoid censure for having said or done either too much or too little.'[3] He called upon the leading Irishmen, both in and out of office, to send him in writing their views of the cause of the great atrophy which had undoubtedly fallen on Irish prosperity, and Lord Lifford, Sir L. O'Brien, Flood, Burgh, Foster, Pery, Hely Hutchinson, and several others, sent in the reports, to which I have already referred, describing the condition of the country, and all concluding that, unless the commercial restrictions were speedily removed, Ireland could no longer pay her way. The English Government consented that England should pay all the Irish troops which were at this time serving out of Ireland; but the boon, though at other times it might have been much appreciated, had now no considerable effect. Buckingham himself urged that the drain of money from Ireland to England, in the shape of rents of absentees, interest of mortgages, and of the national debt, pensions, and lucrative offices held by Englishmen, 'will appear enormous in proportion to the most exaggerated estimate of the abilities of this kingdom;' that of late years 'the expense of collection from various causes is most seriously augmented;' that Irish farmers having no capital were ruined by the slightest check, and that in his private opinion—which he had, however, carefully concealed in Ireland—'nothing short of permission

[1] *May 24, 1779.* Buckingham to *Weymouth.*

[2] May 23, 1779.—Ibid.

[3] June 4, 1779.—Ibid.

to export coarse woollen goods will in any degree give general satisfaction.'[1]

From that memorable year when the English barons availed themselves of the destruction of an English army by the French near the bridge of Bouvines, to rise against their sovereign and to extort from him the great charter of English liberty, there had been many instances of the pressure of foreign affairs being employed to obtain concessions of civil liberty. Something of this kind was, no doubt, occurring in Ireland. The Irish Protestants, who were rapidly rising everywhere to arms, were determined, while defending their country as a member of the British empire, to insist upon the abolition of the trade restrictions which had destroyed its prosperity, and another and still higher object was rapidly strengthening among them. The doctrine that self-government is the characteristic feature of English liberty, that Ireland, though subject to the King of England, was not subject to the English Parliament, that no laws were valid in Ireland which had not been made exclusively by the King, Lords, and Commons of Ireland—this doctrine was now rapidly becoming the dominant creed of the country. The American discussions had done much to convince all classes of Protestants that it was essential to their liberty, essential if they were to be permanently secured from taxation by a body in which they were wholly unrepresented, essential if they were to maintain any commercial liberty in the face of the great commercial jealousy of English industries. It had been, as we have seen, the doctrine of a long series of Irish antiquaries that the English settlers in Ireland had originally possessed a constitution in all respects similar to that of England, and that Poyning's law was the first of a series of encroachments which had been ratified and consummated by the Declaratory Act of George I. The right of Ireland to parliamentary independence had been unanimously asserted by the Irish Parliament of 1641; it had been a leading topic in the Remonstrance presented by the Irish Catholics to the Commissioners of Charles I. in 1642, and in the negotiation of the Catholic Confederates for peace in 1645,[2]

[1] May 28, June 8, 1779.—Ibid. Buckingham to Weymouth.

[2] Irish Commons' *Journals*, July 26, 1641. Carte's *Ormond*, i. 545.

and it was reiterated in emphatic terms by the Parliament of James II., convened at Dublin in 1689. On the ruin of the Catholics, the banner which dropped from their hands was caught up by Protestants. The doctrine of the legitimate independence of the Irish Parliament passed from Molyneux to Swift, from Swift to Lucas, from Lucas to Flood. It was strongly asserted in the writings of Henry Brooke. It was clearly though less strongly intimated by Sir James Caldwell. It was the first principle of the policy of Charlemont; and the eloquence of Grattan, assisted by the example of America, and by the spirit of independence which the sense of power naturally gives, was rapidly preparing its triumph. It had become a leading topic in the press,[1] and made daily converts among all classes.

At the same time the volunteer body was essentially and ardently loyal, and Buckingham fully admitted that there was not the smallest disposition among them to detach themselves from the English Crown, that there was no question that they would exert themselves to the utmost in repelling invasion, and that they were in truth rendering a great service to the empire. They alone, in a time when the danger of invasion was extremely great, made Ireland defensible. They had liberated for the defence of the empire large bodies of troops who must otherwise have been scattered over the country. They had greatly relieved the public treasury, and they were discharging with admirable ability and success the difficult task of maintaining public order. A great part of Ireland was so uncivilised that criminals could only be arrested and carried to execution by soldiers. There were whole districts where the law was almost inoperative, and it was a common thing for prisoners to be rescued as they were carried to prison, by men who were perfect strangers to them and who knew nothing more of them than that they were in duress.[2] It was the just boast

Appendix No. 1. Curry's *Civil Wars*, ii. 337. See, too, Monck Mason's *Essay on the Antiquity and Constitution of Parliaments in Ireland*, p. 56.

[1] See especially two very remarkable series of letters in its defence, which were reprinted in a separate form under the signatures of Guatimozin and of Owen Roe O'Nial. Dr. Jebb, who was the author of the former, soon after sold himself to the Government for a pension of 300*l.* a year, and became one of the most active ministerial writers. See Grattan's *Life*, ii. 175, 193. The letters of O'Nial are by a writer named Pollock.

[2] See a letter of Buckingham, ibid. i. 349, and a very curious

of the Irish patriots that at no period of Irish history was internal tranquillity so fully preserved or the law so strictly obeyed as between the rise of the volunteers and the close of the American war,[1] and the volunteers themselves maintained an admirable discipline. Men of all political opinions were enrolled in their ranks, and they appear at this time to have been guilty of absolutely no acts of violence or disorder. Some overtures to bring them under the direct control of the Government were rejected without hesitation, but they asked one thing from Government which could hardly be refused. A large number of militia arms had recently been provided by the Irish Parliament, and as Government were unable to call out the militia at the time when it was most needed, and as the volunteers at their own expense were discharging the duties of a militia, the administration could hardly refuse to put these arms at their disposal.

The French and Spanish ministers for a time hoped that matters in Ireland were tending to insurrection. In the spring of 1779 Florida Blanca wrote to Vergennes urging the necessity of attending to Irish affairs, and the French minister answered that he had for a long time made them a matter of careful study. He believed that discontent in Ireland was extreme and universal, that an insurrection might at any time break out, and that it was the interest of France and Spain to do their utmost to support it, but secretly, without making any formal treaty with the insurgents, above all, without making any engagement which would oblige them to sustain the revolt longer than was in accordance with their own interests. The Catholics appeared to Vergennes not to have sufficient energy for insurrection, but the Presbyterians were daring, enterprising, and very hostile to the royal authority. Spain could work more effectively than France upon the Irish Catholics; but an American, who was a secret agent of Vergennes, was now starting for Ireland with instructions to move

pamphlet describing the lawlessness of many parts of Ireland, called *Astræa, or a Letter addressed to an Officer of the Court of Exchequer on the Abuses in H.M.'s Casual Revenues, and in the Administration of Justice in Ireland*, by an Attorney-at-Law (Dublin, 1788).

[1] Gordon's *History*, ii. 266, 267. Grattan's *Life*, i 357. *Parl. Hist.* xx. 1160.

among the Presbyterians of the North, and, if possible, to persuade them to follow the example of America. Six months later, however, Vergennes wrote to Madrid about Irish matters in a more desponding tone. The Irish were merely endeavouring to free themselves from many oppressions under which they suffered, and the English Opposition were sustaining the popular movement, but there was no real desire in Ireland to separate from the Crown and Government of England, and no present prospect of advantage to foreign powers. France and Spain should, however, wait patiently. If the conflict in Ireland became more intense, their assistance might still be demanded.[1]

A few more extracts from the letters of Lord Buckingham will paint the situation. In May and June 1779, there were persistent alarms, which the Government thought well founded, that an immediate French invasion of Ireland was impending. Sir Lucius O'Brien, one of the members for Clare, wrote urgently in the name of the gentry of that county, asking that its militia might be arrayed and supplied with militia arms, and stating 'that they will cheerfully defray every other expense which may be necessary on this account between this time and the next Session of Parliament.' The gentry of many other counties, Sir Lucius O'Brien added, 'would offer their service upon the same terms;' but Buckingham, while forwarding this offer to the Home Government, was obliged to acknowledge that 'it would lead to a general array of the militia through the whole kingdom, which would unavoidably bring on an expense His Majesty's revenue is at this time unable to support.'[2] The Knight of Kerry offered to raise a body of troops in that county for the King's service, provided he were allowed to name the officers.[3] Lord Clanricarde wrote 'that a very large and respectable number of gentlemen in the county of Galway had formed themselves into a body for the protection of that county, and had done him the great honour of placing him at their head as Colonel, under the appellation of the Clanricarde Volunteers. . . . Should the French or any other enemy presume to

[1] Vergennes to Montmorin, May 29—Nov. 13, 1779. Circourt, *L'Action Commune de la France et de l'Amérique*, iii. 315–317, 318, 319.

[2] Buckingham to Weymouth, June 30, 1779.

[3] June 28, 1779.

land or invade this kingdom, he took the liberty of offering their services to march at their own expense to any part of the kingdom in support of Government. . . .' He will also 'engage on the shortest notice to raise amongst his friends and tenants in the county of Galway 1,000 men who will swim in their own blood in defence of his Majesty, and of their native country.' Buckingham, however, while acknowledging 'his Lordship's peculiar zeal and attachment to his Majesty's and the public service,' and while intimating that in the moment of actual invasion he might call upon his assistance, said he could not 'give any encouragement or sanction' to associations which he was informed were illegal.[1] To the Government at home, he writes: 'The accounts of the temper and disposition of this kingdom are very differently represented in England to those which are stated to me. Commercial indulgence and general relief is universally wished for; but assurances are given us from all parts that there never has existed an era when a hostile attempt from any quarter would have been so strenuously resisted as at present.'[2] 'Hitherto,' he writes a few weeks later, 'when a truly authentic account of any of the independent companies has reached me, it has done honour as well to their dispositions as their conduct, and their numbers have fallen short of report. Applications are hourly made for arms in consequence of the late alarm, which shall in every instance be civilly refused. . . . Temporising is, in my opinion, called for, and whatever may be the sentiments of Government respecting the independent troops, most studiously to avoid giving them any reason to believe that they are either feared or suspected. Expense, fatigue, avocation from business, and subordination will, by rendering their situation irksome, thin their ranks, and a peace will soon put a period to their existence. The conduct of all denominations of men upon the rumours of last week . . . carries with it the agreeable conviction of there never having existed a period when Ireland was equally able and willing to resist any attempt of invasion.'[3]

The condition of foreign politics, however, was such that it was not possible for the Government to treat the volunteers as

[1] Grattan's *Life*, i. 354-356. [2] May 29, 1779. Buckingham to Weymouth.
[3] June 12, 1779.—Ibid.

a wholly alien body. The fears of invasion became stronger and stronger. In June, Buckingham wrote that 'some of the most respectable noblemen of this kingdom, who are governors of counties,' represented that in case of invasion it would not be in the power of gentlemen of the country without additional arms to defend themselves, and they urgently requested that the arms prepared for the militia should be granted.[1] Soon the hostile squadron of Paul Jones, which in 1778 had already hovered around the Irish coast, and had even captured a ship of war in Belfast Lough,[2] was again seen, while a combined fleet of sixty-five French and Spanish ships entered the British Channel, insulted unopposed the British coast, and might easily have destroyed Plymouth. Ireland was in daily, almost hourly expectation of invasion. The Government thought it necessary to issue directions about the course to be pursued if the French landed; but it could neither defend the country by land or sea. It was left almost destitute of English troops. The volunteers and the volunteers alone were there. Their numbers under the pressure of imminent danger had risen to about 42,000, and they were rapidly acquiring the discipline of regular soldiers. It was felt under such circumstances that the responsibility of withholding the arms that were lying idle was overwhelming, and, upon the urgent advice of the Irish Privy Council, 16,000 stand of militia arms were distributed among the volunteers.[3]

The year was one of the most agitated Ireland had ever known. Internally, indeed, there was no real disloyalty, though there was much discontent; but all classes were looking forward to the necessity of defending their country from invasion. France and Spain were now united against England, while a great part of the British army was imprisoned in America. The Catholics exhibited on this occasion a spirit of warm gratitude for the favour that had last year been shown them, and seem to have done all in their power to assist the Government. Addresses poured in from them, expressive of the most unbounded loyalty and the most lively gratitude for the Relief Bill of 1778. In May, Lord Tyrone wrote to the Government that

[1] June 25, 1779.

[2] *In April 1778.* Benn's *History of Belfast*, p. 620.

[3] *Parl. Hist.* xx. 1040. Grattan's *Life*, i. 366–368, 399. Gordon's *Hist.* ii. 266.

they were forming independent companies to defend the coast against invasion; but that, though he was convinced that the measure was well intended, it was one which would be sure 'to raise such a noise at this and the other side of the water as must distress Government;' and he accordingly persuaded their leaders to desist from their intention, and to offer, in an address to the Government, to co-operate in case of invasion with the Protestant inhabitants, in any way the Government should point out.[1] The Catholics of Waterford and of Limerick subscribed largely to the volunteers, and also for additional bounties to those who would enlist in the King's troops;[2] while O'Leary, the most brilliant writer of the sect, published a not very skilful address to the common people exhorting them to loyalty, and intimating his hope that they might be allowed to share with Protestants in the defence of their country.[3]

The Volunteer movement was spreading rapidly over all parts of the country. Nearly the whole resident landed gentry took part in it, and a large proportion of the foremost names in Ireland may be found among its leaders. Volunteer rank became an object of ambition, ladies gave it precedence in society, and to be at the head of a well-appointed corps was now the highest distinction of an Irish gentleman. Great efforts of self-sacrifice were made to obtain the funds necessary to keep the force together, to maintain without any assistance from the civil power a high standard of discipline, to preserve this great body of armed men from all crime and violence and disorder. Never before in Ireland had public opinion shown itself so strong, so earnest, and so self-reliant. A sincere loyalty to the Crown, and a firm resolution to defend the country from

[1] May 28, 1779 (Irish State Paper Office). Many loyal Catholic addresses of this time are in the Irish State Paper Office. Weymouth wrote to Buckingham, Aug. 4, 1779, that he had received information that a considerable number of Roman Catholic priests were passing from the Continent to Ireland, and that 'seminaries in France and Flanders have been directed to send many of their pupils to Ireland to promote the views of the French Court. The zeal which the Roman Catholics of Ireland have shown leaves no reason to doubt their loyalty, yet it may be very proper to acquaint privately some of the principal gentlemen of that persuasion of these facts.' Buckingham answered that he had only been able to find that two priests had lately come into the kingdom, and that they had come to fill vacant cures.—Grattan's *Life*, i. 370.

[2] Buckingham to Weymouth, June 4, 1779. *Munster Journal*, Aug. 23, 1779.

[3] O'Leary's *Works* (Boston, 1868), pp. 129–139.

invasion, were blended with a resolute determination to maintain a distinctively Irish policy; and it was soon noticed that even among the poorer farmers there was a marked improvement in dress, cleanliness, and self-respect.[1] Agreements to use only domestic manufactures, and to abstain from purchasing English goods till the commercial restrictions were removed, were now entered into by the grand juries of many counties, and by numerous county meetings, and were signed in most of the great towns. Ladies of high social position set the example. The scarlet, green, blue, and orange uniforms of the volunteers were all manufactured at home. It was proposed, in imitation of the Americans, to publish in the newspapers the names of those traders who had infringed the agreement, but this proposal, which would probably have led to much crime, was generally reprobated, and soon abandoned. Many of the counties sent up urgent instructions to their representatives, enjoining them not to vote any Money Bill for more than six months till the commercial grievances were redressed.[2]

The position of the Lord Lieutenant was both painful and embarrassing. The expense of the establishments exceeded the net produce of the revenue for the year, by more than 240,000*l.*, and yet Ireland did not obtain from those establishments the most ordinary security. Irish ships were taken within sight of her ports. But for the presence of the volunteers a hostile invasion might at any time be expected. War, restrictive laws, and the embargo on the provision trade had together destroyed almost every source of national wealth, and the northern ports of Germany, and of the other countries around the Baltic, were already making every effort to secure for themselves permanently the provision trade from which Ireland had been excluded. The drain of money to England still continued, and Irish

[1] Dobbs's *History of Irish Affairs, from Oct.* 12, 1779, *to Sept.* 15, 1782. Barrington's *Rise and Fall of the Irish Nation*, ch. 3. Shelburne, in the English House of Lords, at this time described the volunteers in these terms: 'This most formidable body was not composed of mercenaries who had little or no interest in the issue, but of the nobility, gentry, merchants, citizens, and respectable yeomanry; men able and willing to devote their time and part of their property to the security of their country. The Government had been abdicated and the people resumed the powers vested in it, and in so doing were fully authorised by every principle of the constitution.' —*Parl. Hist.* xx. 1159.

[2] Oct. 18, 1779. Buckingham to Weymouth.

venues were still scandalously misused to provide sinecure wards for English politicians.[1] In the meantime, while dis-ntent was on all sides increasing, the main defence of the untry rested with a voluntary and perhaps illegal body, which d grown up in spite of the discouragement of the Govern-ent, which lay wholly beyond its control, which had begun idently to aim at political changes, and which was no less idently the truest representation of the Protestants of Ire-nd. Parliament was to meet in October, and Buckingham on found that the discontent had penetrated to his confidential rvants. Hussey Burgh, who was one of the most eloquent d most upright men at the Irish bar, had accepted the office Prime Serjeant when Buckingham came to power. He had erted his influence strenuously in favour of free trade, and he as the author of one of the ablest of the many very able dis-uisitions on the condition of the country which had just been awn up at the request of the Government. He resented tterly the inadequacy of the Commercial Bill of 1778; he ow refused to attend a meeting of the confidential servants of e Crown, and in December he resigned his office. Flood was ually marked in his hostility, but while refusing to attend e confidential meetings, he retained, by a great fault of judg-ent, his post of Vice-Treasurer, and the Government did not yet expel him. His motives can only be a matter of con-cture. He may have clung to the political influence attached a seat in the Privy Council, or have regarded his sinecure Vice-Treasurer as external to party politics, or have been uisled by the examples of Pitt, Grenville, and other English atesmen who had opposed Government when in office, or ave desired as a political move to compel the ministers to ismiss him. That he was actuated by any sordid love of oney is scarcely probable, for in that case he would not have ken a line of policy which exposed him to almost certain ismissal.

[1] Rockingham, in 1779, gave an traordinary instance of the utter cklessness with which Irish tronage was bestowed even at a me when the necessities of the untry were most extreme. The sinecure office of Clerk of the Pells had just been increased from 2,300*l.* to 3,500*l.* a year, and given to Jenkinson, the English Secretary of War.—*Parl. Hist.* xx. 1175.

When Parliament met, Grattan, in a speech of great eloquence, moved an amendment to the address, urging the absolute necessity of 'a free export trade,' if the country was to be saved from ruin, and it was evident that he carried with him the sense of the House. Burgh, though still Prime Serjeant, rose, and moved that the terms of the amendment should be 'free export and import,' and Flood that it should be simply 'free trade,' and in this last form it was carried without a division. An attempt to adjourn the question by submitting it to a committee was indeed moved, but speedily rejected. The Chief Secretary expressed his strong dissent from the terms of the amendment to the address; but nearly the whole body of the country gentry who usually supported the Government, and even several men who were actually in office, declared that they would support it, and it was therefore thought better not to expose the Government to a crushing defeat. When the Speaker went to the Castle to present the amended address, two lines of Dublin volunteers, under the command of the Duke of Leinster, lined the way, and presented arms as he passed. Votes thanking the volunteers for 'their spirited and necessary exertions' for the defence of the country were then carried unanimously in the Commons, with two dissentient voices in the Lords. The temper of the nation was such, that Buckingham declared he did not think it prudent to oppose them.[1]

The answer of the King to the address was studiously colourless and ambiguous, and it greatly increased the popular discontent. In Dublin, especially, a very dangerous spirit was abroad. On the anniversary of the birthday of William III., the Dublin volunteers paraded round his monument, which was hung on all sides with very significant inscriptions, and two cannon bore the labels, 'Free Trade—or this.' A few days later a violent riot broke out in the Liberties, and a crowd of weavers, dyers, tanners, and other workmen attacked the house of the Attorney-General, and obliged some of the members of Parliament to swear that they would vote 'for the good of Ireland, free trade, and a short Money Bill.' The Government, at the request of the House of Commons, offered a reward for the

[1] *Buckingham* to Weymouth, Oct. 13, 14, 1779. Grattan's *Life*, i. 383-398.

prehension of the rioters; but the Lord Lieutenant com-
ained that the Lord Mayor had been very remiss in repressing
ıe disturbance. In the House of Commons the feeling against
ıe legislative authority of the British Parliament in Ireland
as so strong that even the Attorney-General found it necessary
disclaim any acknowledgment of that authority.[1] Grattan,
armed at the violence that had been displayed, urged modera-
on, implored the people to abstain from any act of tumult and
olence, and thus gradually to win all classes to the popular
use; but his own policy showed no signs of flinching or
midity. In the teeth of the opposition of the Government,
carried by 170 to 47 a resolution, 'that at this time it would
inexpedient to grant new taxes;' and next day, when the
ouse resolved itself into a Committee of Supply, it was moved
ıd carried by 138 to 100, that the appropriated duties should
granted for six months only. It was on this occasion that
urgh finally broke from the Government by a speech of sur-
ıssing eloquence which created such an effect that the
ıectators who thronged the gallery burst into uncontrollable
plause. Describing the condition of the country, he ex-
aimed, 'Talk not to me of peace—it is not peace, but smothered
ar. England has sown her laws in dragon's teeth, and they
ıve sprung up in armed men.' A few days later, Burgh sent in
s resignation. 'The gates of promotion,' said Grattan, 'were
ıut as the gates of glory opened.'[2]

Another measure of great significance was taken. The
ause relieving the Dissenters from the sacramental test had
1778 been added by a large majority to the measure
r the relief of Catholics, and had been strongly opposed
y the Government, and extinguished in England. It was
ow brought forward again as a distinct measure. The
resbyterians of the north had been the earliest and the most
ımerous of the volunteers, and there was a keen and general
esire that they should participate in the benefits which had of
te been so largely extended to the Catholics. The abolition
the test, the Lord Lieutenant confessed, 'met with a general
ncurrence, great numbers of those members who had opposed

[1] Grattan's *Life*, i. 397. 6, 8, 16, 25, 1779. Grattan's *Life*, i.
[2] Buckingham to Weymouth, Nov. 399–403.

it last session having pledged themselves for its support in the present session.'[1] While refusing to impose new permanent taxes, Parliament at the same time granted 340,000*l.*, chiefly by a lottery, for discharging arrears.

Buckingham, thoroughly alarmed at the condition of the country, strongly counselled the ministers to yield. The evils of free trade to Great Britain must indeed be great, he significantly said, if they overbalanced those which she might incur from the present resentment of Ireland against the commercial restrictions. Lord North, as we have seen, had been already disposed to grant a very liberal measure of commercial relief to Ireland, though he proposed to except the capital article of the wool trade; but he had been intimidated by the clamour of the manufacturers in England. Now, however, the danger was too extreme for further delay. The fear of bankruptcy in Ireland, the non-importation agreements which were beginning to tell upon English industries, the threatening aspect of an armed body which already counted more than 40,000 men, the determined and unanimous attitude of the Irish Parliament, the prediction of the Lord Lieutenant that all future military grants by Ireland depended upon his course, the danger that England, in the midst of a great and disastrous war, should be left absolutely without a friend, all weighed upon his mind; and, at the close of 1779, and in the beginning of 1780, a series of measures were carried in England which exceeded the utmost that a few years before the most sanguine Irishman could have either expected or demanded. The Acts which prohibited the Irish from exporting their woollen manufactures and their glass were wholly repealed, and the great trade of the colonies was freely thrown open to them. It was enacted that all goods that might be legally imported from the British settlements in America and Africa to Great Britain may be in like manner imported directly from those settlements into Ireland, and that all goods which may be legally exported from Great Britain into those settlements, may in like manner be exported from Ireland, on the sole condition that duties equal to those paid in British ports be imposed by the Irish Parlia-

[1] Buckingham to Weymouth, Dec. 2, 1779.

nent on the imports and exports of Ireland. The Acts which rohibited carrying gold and silver coin into Ireland were re-ealed. The Irish were allowed to import foreign hops, and to eceive a drawback on the duty on British hops. They were llowed to become members of the Turkey Company and to arry on a direct trade between Ireland and the Levant Sea.[1]

Thus fell to the ground that great system of commercial estriction which began under Charles II., which under William II. acquired a crushing severity, and which had received several dditional clauses in the succeeding reigns. The measures of ord North, though obviously due in a great measure to in-imidation and extreme necessity, were at least largely, wisely, nd generously conceived, and they were the main sources of hatever material prosperity Ireland enjoyed during the next wenty years. The English Parliament had been accustomed o grant a small bounty—rising in the best years to 13,000*l.*—n the importation into England of the plainer kinds of Irish nen. After the immense concessions made to Irish trade, no ne could have complained if this bounty had been withdrawn; ut North determined to continue it. He showed that it had een of real use to the Irish linen manufacture, and he strongly naintained that the prosperity of Ireland must ultimately prove blessing to England.[2]

After a long period of hesitation and delay, the other capital emand of the Irish Parliament was conceded. In March 1780, he Bill relieving the Irish Dissenters from the sacramental test as returned from England, and a very curious episode in Irish cclesiastical history was thus terminated. The first imposition f the sacramental test was, as we have seen, wholly due to the nglish ministers, who forced it on the Irish Parliament by dding a clause to that effect to the Anti-Popery Bill of 1704. generation later the parts were inverted. The English Whig inisters of George II. wished to abolish the Irish test, but hey found insuperable obstacles in the anti-Presbyterian feel-ng of the Irish House of Commons, and in the preponderance f bishops in the Irish House of Lords. Now, at last, under a ory King and a Tory ministry, at a time when the Church as in the height of its power in England, and when the

[1] 20 Geo. III. ch. 6, 10, 18. [2] *Parl. Hist.* xx. 1275, 1282.

Presbyterians were looked upon with more than common disfavour, the sacramental test was abolished at the request of the Irish Parliament, and by the influence of the volunteers. The Irish Dissenters were thus placed politically on a level with their fellow-countrymen, and they obtained this boon forty-eight years before a similar favour was granted to their co-religionists in England.

The aspect of affairs in Ireland still appeared very alarming to the Government. Buckingham seems to have been severely blamed for having allowed the volunteer movement to attain its present formidable height, and his letters are full of exculpations of his conduct. He maintained, with much truth, that, in the financial condition of Ireland, it was impossible to avoid it; that the alternative was to leave the country a prey to complete internal anarchy and to the first invader who chose to land on its unprotected shore, or to suffer it to defend itself; that the volunteer movement in its beginning was intended solely to protect the country from invasion; and that it was in a great degree in consequence of encouragement from England that it was afterwards turned to home politics. At the same time, he had no illusion about the gravity of the situation. 'It may be rather too much,' he wrote, 'to advance that there was a general concert among the principal gentlemen of Ireland to alarm Great Britain into the present very judicious measures. Yet had you seen the complexion of Parliament the first day of the sessions, and heard the language since held with respect to the Money Bill, you might have judged such a suspicion not altogether ill-founded.'[1] 'The distressed state of this kingdom . . . has diffused a spirit unknown before. At this time the attention of the whole nation is fixed upon parliamentary proceedings, and not only the electors are instructed that their opinions are to determine the suffrages of members, whose sentiments cannot be openly canvassed as formerly when the contest was merely between different factions. Beyond a certain line you cannot press for the intended conduct of independent gentlemen, and even positive assurances may not be able to resist popular clamour. . . . The Octennial Bill is the great source of this evil.

[1] Jan. 2, 1780 Buckingham to Hillsborough (secret).

The volunteer companies continue attentive to their exercise. Those who should know assure me that a considerable majority are well disposed. . . . You cannot doubt of my anxiety to reduce them into some legal shape, and that no pains shall be omitted to effect it.' 'Upon the whole, it is my private opinion, that, barring insurrection, or something nearly resembling it, I shall go through the business of the session with success. The conduct of some of your English counties may be inconveniently infectious; but, hitherto, the Irish have been more discreet.'[1]

Up to this time the volunteers had been detached bands raised by local efforts for local defence, but great exertions were now made to give them the coherence and consistency of a regular army. In the beginning of 1780, arrangements were made for a number of reviews in the ensuing summer, in which the volunteers of many different districts might act in great masses together. A few cannon now belonged to the force, and great pains were taken to bring its discipline to perfection. Reviewing generals and exercising officers were chosen, and among the former Lord Charlemont was the most active.[2] At the same time the doctrine that armed men lost their right of discussing political questions was emphatically repudiated, and the newspapers were full of resolutions passed by different corps through the country. Many men of weight, property, and character were beginning to look upon the development of the force with alarm, and to doubt whether it would be possible to restrain it within legal limits; and in Dublin, at least, a more highly accentuated democratic tendency was beginning to appear. 'Very limited, indeed,' wrote the Lord Lieutenant, 'is the number of men of property who are not anxious to stifle ill-humour, but the temper of the inferior orders is certainly in an unpleasing state of fermentation.'[3] The Duke of Leinster, who had been hitherto so prominent, began to fluctuate or to change, declared in Parliament that 'he had no idea of constitutional questions being forced by the bayonet,' and for some time gave his influence to the

[1] Feb. 6, 1780. Buckingham to Hillsborough.

[2] *History of Irish Affairs from Oct.* 12, 1779, *to Sept.* 15, 1782, by Francis Dobbs. Plowden's *Historical Register*, i. 513.

[3] March 8, 1780. Buckingham to Hillsborough (private).

Government.[1] There was much agitation among the Dublin volunteers about this defection, and Napper Tandy, who was now beginning to emerge as a democratic agitator, and who afterwards bore a conspicuous part in the rebellion of 1798, moved that the Duke should be expelled, and was himself expelled in consequence.[2] In Parliament, measures were brought in for securing the seats of the judges during good behaviour, and for extending the Habeas Corpus Act to Ireland, and the Government as usual refrained from opposing them, leaving it to the Council in England to reject them. An old project of raising the number of judges from nine to twelve was introduced by the Government in spite of the almost desperate condition of the finances; but it was so unfavourably received that it was speedily withdrawn. The notion that a legislative union was the only safe solution of the present difficulties appears at this time to have been widely disseminated,[3] and to have been favoured by Hillsborough;[4] but he received no encouragement from the Lord Lieutenant. 'I shall ever receive with the most grateful acknowledgment,' wrote Buckingham, 'any hints from you either respecting myself immediately or the business of the public. But let me earnestly recommend to you not to utter the word Union in a whisper or to drop it from your pen. The present temper will not bear it.'[5] Extreme circumspection in word and action, and a careful reservation of their strength for the great constitutional questions that were impending, was the policy of the ministers. An embargo, to arrest some provisions from Cork, which were supposed to be intended to supply the French fleet, appeared to the English ministers a

[1] March 2, 1780. Buckingham to Hillsborough. See this despatch in Grattan's *Life*, ii. 24-26.

[2] April 24, 1780. Buckingham to Hillsborough.

[3] 'The idea of an union between Great Britain and this kingdom has been industriously disseminated here.' —*The Irish Spy* (Dublin, 1779), p. 16. See, too, *A Letter to the People of Ireland on Association in favour of our Manufactures* (Dublin, 1779), and *The First Lines of Ireland's Interest in the year* 1780 (Dublin, 1779). The last pamphlet was in defence of an union. Franklin noticed that the rumour of an intended union prevailed as early as 1773 (Franklin's *Works*, viii. 84). In 1778 it had acquired such consistency that the members for the county of Limerick received instructions from their constituents to oppose it. —Grattan's *Life*, i. 399. Arthur Young about the same time, while himself advocating an union, 'was informed that nothing was so unpopular in Ireland as such an idea.' —*Tour*, i. 65.

[4] See a note to Walpole's *George III.*, iv. 200.

[5] Buckingham to Hillsborough (secret), Jan. 2, 1780.

measure of the utmost importance; but to their great astonishment, the Lord Lieutenant implored them to abstain from it. The last embargo, he said, had been in force for three years, and was universally regarded as the cause of that great and long-continued distress, which had ruined so many merchants and graziers, lowered or stopped rents in all parts of the kingdom, and left innumerable farms without tenants. Any attempt to repeat such a measure would certainly produce general alarm, and would probably, in the present condition of the country, produce such dangerous disturbances that the Government was entreated as the safer course to purchase the provisions itself.[1]

At the same time, Parliamentary influence was carefully collected and fostered, by the old plan of lavishing promises of peerages, baronetcies, and pensions; and in February 1780, Buckingham already writes that he had secured his majority and could count upon the general support of 154 members out of the 300. He sent Lord Hillsborough a very elaborate analysis of the grounds upon which he formed his opinion, and it is exceedingly curious as illustrating the way in which, under the system of nomination boroughs, ministerial majorities were composed. Of the votes favourable to the Government, 96, according to the Lord Lieutenant, depended on the influence of twenty-three men. Lord Shannon, the Duke of Leinster, and Lord Ely, who were the three largest borough-owners in Ireland, were all prepared to support him, and they could together control no less than thirty-five votes in the House of Commons. Four bishops commanded together eight votes. Hillsborough himself was a large landowner in Ireland, and five members held their seats at his disposal. Eighteen members of the majority were nominated by other peers, and Mr. Conolly, Sir R. Deane, Mr. Clements, and Sir J. Parnell, including their own votes, commanded together twenty. Of the 154 members on whose support the Lord Lieutenant counted, 78 had already either pensions or places. We shall presently see what promises had been given to stimulate their zeal.[2]

[1] See the *Correspondence* of Jan. and Feb. 1780.

[2] *State of the different Interests in the House of Commons, which are in the support of Government.*

These were the forces with which the administration undertook to meet the rising spirit of the country. The determination to resist any constitutional change was very decided. The English party, who were now in power, had fought step by step against any concession to the demands of the Americans, and had again and again pledged their reputation to the policy of enforcing the legislative authority of the British Parliament over the dependencies; and Lord Hillsborough, in whose special department Irish affairs lay, had, in the divided Cabinets of the preceding year, been one of the most determined enemies to the conciliatory policy which had been advocated by the Duke of Grafton and Lord Camden, and which might have possibly averted or postponed the disruption of the empire.[1] His policy in Ireland was very similar, and he gave the most stringent directions 'to prevent, if possible, any propositions for innovations upon or alterations in the Constitution from being transmitted' to England.[2]

The chief strength of the opposition to the declaration of independence lay undoubtedly in corrupt influence; but there were also a few honest men and a few plausible arguments on that side. It was said that a declaration of independence would bring Ireland into violent collision with England; that a continuance of popular agitation might lead either to anarchy or to stratocracy; that it was ungrateful to press the constitutional question at a time when England was isolated in the world, when she was engaged in a desperate struggle against a hostile coalition, when she had just conceded to Ireland commercial boons of the amplest and most liberal character.

But such objections, though they might sound powerfully in the Parliament, were lost throughout the country in the great cry for legislative independence which rose in every county from the volunteers, from the grand juries, from the freeholders, and the yeomen of every denomination. Those who were leading the movement were not rebels and were not demagogues. They had made—they were making—they were prepared to make every effort in their power for the defence of the empire and of

[1] *See* Walpole's *George III.* iv. p. 199.

[2] March 28, 1780. See Grattan's *Life*, ii. 31.

the connection. They were the gentry of Ireland, and they were asking nothing more than the restoration of their ancient rights—nothing more than that political liberty which Englishmen themselves maintained to be the first of blessings. The utter paralysis of Government, and the great armed force which had in consequence arisen, at once demonstrated the necessity of a radical change in the conditions of Irish government and made it possible to effect it. Loyal men, devotedly attached to the Crown and the connection, who had strained the resources of the country to the utmost for the support of the empire, who had borne with signal patience misgovernment of the most varied and most crushing character, who were themselves discharging by an admirable voluntary effort the neglected duties of the Government, might surely afford to bear the imputation of ingratitude if they availed themselves of the one opportunity which had arisen since the Revolution of recovering their birthright of freedom. No one, as Grattan said, should ask a man to sacrifice his conscience, or a woman her honour, or a nation her liberty, to gratitude. It was said that the late commercial boons were a reason for not pressing for legislative independence. It was answered that without legislative independence those boons were perfectly precarious. 'The same power which took away the export of woollens and the export of glass might take them away again.' Lord North himself described the concessions to the Irish as 'resumable at pleasure.' No one who had watched the intense commercial jealousy of Irish industry which the manufacturers and commercial towns of England had so lately displayed, no one who observed how entirely the recent concessions had been due to the pressing exigencies of the moment, and how much irritation the mere demand for them had produced, could question that it was not only possible, but in the highest degree probable, that in calmer times, if the English power of legislating for Ireland were still acknowledged, it would be employed in revoking every benefit that had been conceded.

These views were widely held, and they were advocated with special effect in a letter to Lord North, written in the beginning of 1780 by a very eccentric lawyer named Francis Dobbs, who had been prominent in organising the Ulster volunteers, and who

became at a later period member for Charlemont. He was a man of respectable family and private means, of an eminently pure, gentle, honourable, and benevolent character, and of some literary talent, and he has left behind him among other works an 'Universal History,' in nine volumes, which is now absolutely forgotten, and a short and valuable sketch of the early history of the volunteers. On all subjects but one he was esteemed, if not a brilliant, at least a sober and well-judging man; but a vein of religious enthusiasm amounting to monomania ran through his nature and blended strangely with his politics. Unfulfilled prophecy was the passion of his life, and when this chord was struck his whole being seemed suddenly changed. He had convinced himself that the present dispensation was at an end, that the Messiah was just about to descend to reign in person upon earth, and that he was first to appear in Ireland. Armagh, called in Irish Ardmaceaddon, or the Hill of the Great Teacher, was the predicted Armageddon. The sea of glass, the golden harps, the robes of linen, foreshadowed the insular position, the national arms, the national manufacture of Ireland; the Giants' Causeway was the stone of Daniel; and in 1799, Dobbs in Parliament opposed the Union in an extraordinary speech in which, in a strain of passionate earnestness, he contended from the Books of Daniel and Revelation that by amalgamating Ireland with England it would run counter to the whole scheme of prophecy. In 1780, however, these eccentricities had not yet fully appeared, and on more than one occasion Dobbs took a considerable part in directing the course of Irish politics.[1]

'The epidemic madness,' as Lord Buckingham called it, 'so assiduously circulated by Lord Charlemont, Mr. Grattan, Sir W. Osborne, and Lord Carysfort,'[2] rapidly spread, and on April 19, 1780, Grattan introduced a declaration of independence into the Irish House of Commons. It consisted of a series of resolutions asserting that while the Crown of Ireland was inseparably annexed to that of Great Britain, while the two nations, united under one sovereign, were indissolubly connected by ties of interest, loyalty, and freedom, no power on earth but

[1] Dobbs's *Concise View of History and Prophecy* (Dublin, 1800). Barrington's *Rise and Fall of the Irish Nation*.

[2] Buckingham to Hillsborough, March 8, 1780.

the King, Lords, and Commons of Ireland was competent to make laws for Ireland. The speech in which these resolutions were introduced was long remembered as the most splendid that had ever been heard in the Irish Parliament,[1] and no one who reads the report of it which is preserved, can fail to feel the wonderful fire and energy both of thought and language which it displayed. One passage the Lord Lieutenant especially remarked as having made an extraordinary impression. It was that in which, having read the offers of reconciliation which had just been made to the revolted colonies, in which, not only the power of taxation was given up and freedom of internal legislation established, but all power of the Parliament of Great Britain over America was renounced, Grattan asked whether it could be suspected that Great Britain would refuse to the most loyal of subjects that which was offered to those who had been declared in rebellion. It was plain, however, that the majority were on the side of the ministers, though scarcely a voice was heard opposing the declaration on any other ground than that it was premature or inexpedient; and at last, after fifteen hours of debate, the question was indefinitely adjourned, leaving no entry of it in the Journals. 'The legislative power of Great Britain,' wrote the Lord Lieutenant, when reporting the transaction to the Government, 'was not insisted upon by any other than the Attorney and Solicitor-General. The voice against it was so general that those who might otherwise have stood up to support it found themselves so few in number that they thought it more prudent to confine themselves to the inexpediency and ill effect of any declaration upon that head. . . It is with the utmost concern I must acquaint your lordship that, although so many gentlemen expressed their concern that the subject had been introduced, the sense of the House against the obligation of any statutes of the Parliament of Great Britain

[1] 'One of the most forcible and animated speeches that ever distinguished a man.'—Dobbs's *History of Irish Affairs*. Hardy says: 'The oration which Grattan made on that occasion can never be forgotten by those who heard it. The language of Milton or Shakespeare can alone describe its effects.'—*Life of Charlemont*, i. 394. 'The subject,' Buckingham wrote, 'was introduced by Mr. Grattan with very great ability and with great warmth and enthusiasm, omitting no argument that could be artfully suggested to stimulate the mind.'—Buckingham to Hillsborough, April 21, 1780. Grattan himself preferred this to all his other speeches. —Grattan's *Life*, ii. 39.

within this kingdom is represented to me to have been almost unanimous.'[1]

The question could not rest there, and in two other forms it was revived in the same session. Yelverton proposed to amend Poyning's law, so as to take away from the Irish Privy Council its power of altering or suppressing Heads of Bills as soon as they had passed through one House of Parliament, and thus preventing the Irish Parliament from laying the wishes of the nation before the King. The administration exerted all its powers against the proposition, and it was defeated by 130 to 105.[2] A much more serious attack speedily followed. Hitherto the army in Ireland had been governed solely by the English Mutiny Act, and voices had already been heard disputing the validity of that Act. Two magistrates had separately brought the question to an issue by discharging deserters who appeared before them, on the ground that there was no Irish Act compelling them to remain in the ranks.[3] Gervase Bushe had given notice of his intention to allay the disquietude on the subject by proposing an Irish Mutiny Bill. The question was one of the gravest and most perplexing that could be raised. If the Government yielded, it was tantamount to acknowledging that the English Act was insufficient. If they refused to accept the proposed measure, it was tolerably certain, after the general expression of opinion against the validity of English laws in Ireland, that few magistrates and no juries would take any notice of the English Mutiny Act, and that it would be in consequence perfectly impossible to enforce discipline or prevent desertion. A meeting of the most confidential servants of the Crown, and, a few days later, a formal discussion in the Privy Council, only brought out in clearer light the extreme difficulty of the situation. The Speaker, the Provost, Flood, the Duke of Leinster, Lord Annaly and the Chief Baron, all agreed that an Irish Mutiny Act was absolutely necessary, for the English law would be a mere dead letter if no magistrate was willing to execute it. The members of the Privy Council, who had seats in the House of Commons,

[1] April 21, 1780 (printed in Grattan's *Life*, ii. 52–55).

[2] *Buckingham* to Hillsborough, April 27, 1780.

[3] Grattan's *Life*, ii. 71 73.

declared that the Bill would certainly pass that House by a great majority, that all attempts to resist it would be futile and extremely damaging to the Government, and that many of the most prominent and most devoted supporters of the administration would vote for it rather than allow the country to remain without an army, or the army without the means of enforcing discipline.

Under these circumstances, when Bushe introduced his motion into the House of Commons, Sir R. Heron, the Chief Secretary, moved that it should be postponed for a fortnight in order that instructions should be received from England, and he carried his motion by 146 to 75. 'In the course of the debate,' the Lord Lieutenant wrote, 'there was an almost universal declaration from all sides of the House of the necessity of some Bill to prevent the mischiefs that threatened. Many who supported the motion avowed their intention of voting for the Bill on a future day; and the majority was solely owing to the wishes of gentlemen to give every reasonable time to administration for considering the necessity of the measure. Some gentlemen declared that they would not as jurors, magistrates, or in any other capacity, suffer the British Mutiny law to be enforced, and the whole tenor of the debate leaves no room to doubt that few inferior magistrates will dare, even if they were so disposed, as they are not, to act under that mutiny law. . . . . The gentlemen most zealous for his Majesty's service are determined to support this Bill. . . . The impossibility of any effectual efforts against it in the House of Commons is beyond a doubt. The dangerous consequences which must ensue from its being rejected elsewhere, when supported and deemed necessary by the voice of the Commons, are too glaring to be minutely mentioned,' and it was tolerably certain that the Irish Privy Council could not be induced to reject it.[1]

The measure of Bushe was one which could only be justified by the extreme urgency of the question, and it was the more remarkable because the House of Commons, which showed itself thus disposed at all hazards to assume the sole legislative power of Ireland, was at the same time the most liberal which had ever sat in Ireland in its grants to the Crown. At the

[1] Buckingham to Hillsborough, May 8, 1780.

height of the constitutional conflict all parties concurred in doing the very utmost in their power for the support of the general interest of the empire. In the same month in which Buckingham wrote to the Government describing the determination of the Irish Parliament to have their own Mutiny Act, he wrote a remarkable letter describing their 'liberal endeavours' to rectify the condition of the finances. 'Your Lordship will observe,' he said, 'that the Commons have in this session granted 350,000*l.* before Christmas, and 260,000*l.* since Christmas, in the whole 610,000*l.*, to be raised by loan. They will also have imposed new taxes to the estimated annual amount of 153,000*l.* I understand, no effort of equal magnitude, either in loans or in taxes, was ever yet made in any one session.' All the new taxes, he added, that had been granted since the accession of George II. did not exceed those granted in this one year. All the sums borrowed previous to the year 1763, did not together amount to as large a sum as that which was borrowed in this single session. The largest sum ever borrowed before in a session was 466,000*l.*, and this sum was raised in the session immediately preceding.[1]

Hillsborough, in answer to the letters of the Lord Lieutenant, enjoined him strenuously to resist the Mutiny Bill of Bushe, if it proceeded on the foundation of the British Act not being binding in Ireland,[2] and accordingly when Bushe, on May 22, introduced his motion for leave to bring in the Bill, Sir R. Heron was very reluctantly obliged to oppose him. He soon, however, found that the feeling of the House was even stronger than he had anticipated, and a division being forced on, he was beaten by no less than 140 to 18.[3] It was then proposed by some members who were favourable to the Government to introduce a Mutiny Bill which was verbally entirely different from the English Act, and contained no allusion to it. They argued that, although the introduction of an Irish Mutiny Bill would, no doubt, imply a denial of the validity of the English Act, yet if this were not stated, and if the Irish Bill made no allusion to the English law, the Government

[1] May 18, 1780. Buckingham to *Hillsborough.*

[2] *May 14, 1780.*

[3] May 22, 1780. Buckingham to Hillsborough.

ight shut their eyes to the inference, and end the contest ithout much discredit.[1] This idea does not, however, appear o have been pressed, and the Bill moved by Bushe, with an dditional clause moved by Foster, to the effect that the army hould be regulated by such laws as the King has made, or may ake, not extending to life and limb, passed successfully hrough the House of Commons and through the Privy Council, nd was transmitted to England.[2]

So far the tactics of the national party had been eminently uccessful, but now a strange reaction occurred which illustrates ividly the spasmodic and uncertain character of the resolutions f the Irish Parliament.[3] A large part of those who had supported he Irish Mutiny Bill did so, not on any constitutional principle, ut simply in order to avert the great practical evil of a disor- anised army, and they were only too willing that the question hould never be reopened. Some members were startled at heir own boldness, considered the concession of an Irish Mutiny ct sufficient, and were willing as a compromise to make an quivalent concession to Government, and corrupt influence was argely brought to bear upon the great borough-owners. The Mutiny Bill was returned from England, but it was returned ith a very significant alteration, expunging the words which imited it to a year. It was in vain that Grattan and his fol- owers urged that to pass a perpetual Mutiny Bill would be to urrender in Ireland what Englishmen had ever regarded as ne of the most essential of all the guarantees of constitutional reedom. It was in vain that they argued that such a measure ould be more than commonly dangerous in Ireland, where he existence of the hereditary revenue had in a great measure eprived the Commons of the power of the purse. It was in ain that they even threatened to secede in a body from Par-

[1] May 28, 1780. Buckingham to Hillsborough.

[2] See Grattan's *Life*, ii. 85–98.

[3] Daly, one of the most prominent members of the Irish House of Commons, very sagaciously said of it: 'Were I a minister and wished to carry a very untoward measure, it would be directly after we had passed some strong resolution against the Court. So blended is the good-nature of Irish gentlemen with their habitual acquiescence, that unless party or the times are very violent indeed, we always wish to shrink from a second resolution against a minister, and to make, as it were, some atonement for our precipitant patriotism by as rapid a return to our original civility and complaisance.'—Hardy's *Life of Charlemont*, i. 262–282. This was, no doubt, largely due to the great imperfection of party discipline in the Irish Commons.

liament. A motion for restoring the original words was defeated by 114 to 62, and a perpetual Mutiny Bill passed, thus placing the government of the army beyond the power of Parliament.[1]

Buckingham deemed it a great victory, though in truth it only created a new grievance, which it became a leading object of the national party to remove. The discontent it produced in the country was greatly aggravated by the conduct of the English Privy Council in reducing a protective duty which the Irish Parliament had imposed on refined sugar imported into Ireland, and by the conduct of the House of Commons in accepting this alteration, which was believed to be fatal to the refining interest in Ireland. The language held towards the House of Commons in public meetings now became more violent. It was said that Parliamentary reform was the most urgent of all the real wants of the country, and that the majority of the House were completely in the hands of a few bribed borough-owners. They had refused the passionate wish of the nation for a declaration of legislative independence, and they had granted administration a right of governing the army without their consent, which in the worst times the most servile of English Parliaments would never have conceded. Three bodies of Dublin volunteers passed resolutions denouncing the conduct of the majority, and they ordered these resolutions to be published in the papers. The session ended on September 2, and nearly the last act of the House of Commons was to censure the volunteer resolutions as seditious and libellous, and to call upon the Lord Lieutenant to institute prosecutions against the printers and publishers.[2]

So ended one of the longest and one of the most eventful sessions hitherto known in Ireland, and it was speedily followed by the recall of Buckingham. For a long time the nerves of the Viceroy had been strained almost beyond the limits of endurance. He spoke of himself as 'a man whose mind has been ulcerated with a variety of embarrassments for thirty weary months.'[3] The utterly defenceless state of the country in the beginning of

[1] Sir R. Heron to Stanier Porten, Aug. 9. Buckingham to Weymouth, Aug. 17, 1780.

[2] Commons' *Journals*, xix. 499–501.

[3] March 1780. In another letter (Nov. 22), he says his mind was 'very sensibly affected and enervated,' and that he wrote by another hand, as his 'spirits were not equal to the task.'

a great war, the weekly and almost daily fears of invasion, the rise of a great army of volunteers wholly beyond the control and influence of Government; the rapid increase of the popular demand for a fundamental change in the constitution of the country, the doubts that hung upon the constitution of the Irish army, the determination of the Government, even at the last moment and in spite of his remonstrance, to drain the country of almost every available soldier,[1] all these things had reduced the Lord Lieutenant to a state of deplorable anxiety. The home Government, profoundly ignorant of Irish affairs, saw a great movement rising which was completely beyond their control, and they blamed the Viceroy; compelled him on several occasions to pursue a policy opposed to his judgment, and slighted several of his recommendations. Scott, the Attorney-General, and Beresford, who was soon after First Commissioner of the Revenue, had long been intriguing against him, and had been endeavouring by repeated letters to Robinson, the English Secretary of the Treasury, to procure his recall.[2] In the last months of his administration he had been reduced to the necessity of opposing the overwhelming preponderance of national sentiment, and nearly all the honest men in Parliament, by the most flagrant and overwhelming bribery, by attaching to himself the most insatiable and rapacious place-hunters in Ireland. Nothing now remained for him but the distribution of the rewards; and the despatches, which have fortunately been printed, written at the close of his administration, reveal the true character of the contest.

Immediately after the termination of the session, he wrote to Lord North, stating that 'without engagements strongly to recommend' several politicians for peerages, 'it would have been impossible in any sort to have surmounted the various difficulties which have lately attended the Government,' and he accordingly recommended eight commoners for the peerage, thirteen peers for advancement in the peerage, five appointments to the Privy Council, seventeen persons for civil pensions, and

[1] Oct. 7, 1780. Buckingham to Hillsborough. Three more regiments were withdrawn, 'a measure of the most serious cast.'

[2] See the correspondence of the Right Hon. J. Beresford (privately printed), and also a 'most secret' letter of Buckingham to Hillsborough, Dec. 17, 1779.

several others for favours of other kinds. He apologises for the number of his recommendations, but says, 'I am driven to this necessity, not having any other means of gratifying the expectation of gentlemen who engaged in the service of Government through this long and arduous session.' In nearly every instance recent political services are given as the sole ground for the recommendation.[1]

The English Ministers were startled by the multitude of requests, and refused to grant them all. The King consented, however, besides many minor favours in the shape of places and pensions, to make five new peers, and to raise eleven peers one or more steps in the peerage. This was the price at which the perpetual Mutiny Act and a few other slight triumphs were purchased, and the Lord Lieutenant considered it exceedingly insufficient. 'As the engagements I have entered into,' wrote Buckingham, 'are so many and so strong that I am convinced the Government will be materially prejudiced if the faith of the Chief Governor should not be maintained, I will trouble your lordship no further than to remark that the last session was extremely critical, and that the conclusion would not have been so decidedly favourable to Government if such engagements had not been entered into at the moment.'[2] 'With respect to the noblemen and gentlemen whose requests have not succeeded, . . . the recommendations of many of those persons submitted to his Majesty for that honour, arose from engagements taken up at the press of the moment to secure questions upon which the English Government were very particularly anxious. My sentiments cannot but be the same with respect to the Privy Council and pensions, and I had not contracted any absolute engagements of recommendation either to peerage or pension till difficulties arose which necessarily occasioned so much and such forcibly communicated anxiety to his Majesty's Cabinet that I must have been culpable in neglecting any possible means of securing a majority in the House of Commons.'[3] Some of the letters of prominent politicians are still preserved, expressing their indignation at the inadequacy of their rewards.

[1] See the letters of the Lord Lieutenant between Sept. 8 and Nov. 19, 1780. Grattan's *Life*, ii. 163–175.

[2] Dec. 6, 20, 1780.

[3] Nov. 19, 1780. Grattan's *Life*, ii. 169–170.

It would be difficult to have a clearer illustration of the manner in which, through the extreme concentration of political power, it was possible in the Irish Parliament to override the real sentiments of the country, and such episodes should be remembered by those who would form a just estimate of the later conduct of the volunteers on the question of parliamentary reform. It is manifest, too, how serious must have been the effect upon the Irish peerage of creations so lavish and so corrupt as those under Lord Townshend, Lord Harcourt, and Lord Buckingham. The sale of peerages had become the ordinary resource of Government; and Grattan, in a speech made some years later, predicted with great force its inevitable tendency 'to taint the nobility,' to 'undermine the moral props of opinion and authority,' and to produce in Ireland a levelling, democratic, and revolutionary spirit of the most dangerous kind. In truth, the respect for rank, however much it may be decried by philosophers as a mere figment of the imagination, is, politically, a very real thing, for it is a great power of guidance and influence in the affairs of men. In a country like Ireland, which is torn by historical antagonisms and religious differences, where the mass of the population are poor, ignorant, credulous, and excitable, and at the same time passionately loyal to their leaders, none of the natural forms of healthy influence can be safely neglected, for nothing is more needed than wise guidance and well-directed respect. That the Irish gentry were not incapable of political leadership is sufficiently shown by the volunteer movement, and by many honourable episodes in the history of the Irish Parliament; and even in the disgraceful contest about the perpetual Mutiny Act, Grattan was able to assert that, although the great borough-owners had gone over to the Government, 'the weight of property, beyond comparison,' was on the popular side.[1] A dishonest historian, who selects or conceals his facts according to the impression he wishes to convey, may, no doubt, discover without difficulty authentic materials for an unqualified diatribe against the Irish Protestants and their Parliament; but a true picture will contain many lights as well as many shades, and a faithful

[1] See his pamphlet on the Perpetual Mutiny Act.—*Miscellaneous Works*, p. 25.

narrator will make large allowance for unfavourable circumstances and antecedents. He will be struck with the smallness of the military force with which Ireland in many troubled periods was kept in perfect peace. He will recognise the large amount of ability, loyalty, and public spirit which undoubtedly existed in the Irish Parliament during the last thirty years of its existence, the many steps of constitutional and material progress that were taken under its auspices, the noble efforts that it made to break down the system of religious proscription, and to bridge the chasm which yawned between the two great sections of the Irish people. But the taint of corruption had sunk deeply into the great borough-owners. The peerage, which was the natural representative of the landed classes, was systematically degraded; and the majority of Irish titles are historically connected with memories, not of honour, but of shame.

Lord Buckingham was succeeded as Viceroy by Lord Carlisle, who took Sir W. Eden—afterwards the first Lord Auckland—as his chief secretary, and arrived in Ireland towards the close of December 1780. The new Lord Lieutenant was a young man of considerable promise and accomplishments, but exceedingly inexperienced in official life. He had been educated at Eton with Charles Fox, and with the Duke of Leinster; had published a few short poems, among others a translation of the story of Ugolino from Dante; had thrown himself ardently into the fashionable dissipations of his time, but, like his close friend, Charles Fox, had never lost his interest in politics, and had, as we have already seen, been selected in 1778 as one of the Commissioners who were sent out to negotiate with the Americans.[1] Eden had on this occasion been one of his colleagues. He was bound to his future chief by a very warm friendship, and in 1779 he had addressed to him some rather valuable letters on the trade restrictions of Ireland. As more than nine months elapsed before it was necessary to summon Parliament, Carlisle had ample time to master the circumstances of the country, and his general impression was decidedly favour-

[1] Many particulars relating to Lord Carlisle—who is now chiefly remembered by a line in *Childe Harold*—will be found in the second volume of Jesse's *Life of Selwyn*.

able. Great caution, indeed, was required, and he especially urged that Ireland should not be included in the English Mutiny Act; but he found among the chief people in Ireland a widespread sentiment, strengthened, no doubt, by the recent resolutions in favour of parliamentary reform, 'that the aristocratic part of the Government had lost its balance, that there was an evident necessity of regaining from the people that power which, if suffered to continue in their hands, must end in the general ruin of the whole; and that, for their own security and happiness, English Government must be supported.' 'The wild notions of republicanism,' he thought, 'were every day more the objects of contempt and derision,' and 'the national fever was subsiding.'[1] One of his earliest measures was to bestow the Bishoprick of Killala upon a brother of Pery, the Speaker, who, from his position, experience, and great ability, had much weight with all parties in Ireland, and who had promised the new administration 'a systematic and decided support upon a principle of public duty.'[2] Eden, in his confidential letters to England, expressed himself well satisfied with the tone of feeling towards England prevailing both in Parliament and the country,[3] and he mentioned that of 198 members who were present at the meeting of Parliament, 160 were 'as decided friends to Government as Irish politics can admit.'[4] At the same time, in a very curious and significant letter, he urged that one of the great wants of the Irish Government was a fund of secret service money like that which existed in England. There was, indeed, a small fund, varying from 1,200*l.* to 2,000*l.*, which bore this name, but its title was altogether a misnomer, for it was merely a fund for paying extra packet-boats, donations to foreigners in distress, illuminations, beer to the populace on the King's birthday, and such like expenses.

[1] Carlisle to Hillsborough, Jan. 9, 1781.

[2] Ibid. Jan. 7, 1781.

[3] 'The country is at this moment right-headed and kindly disposed, if frankly and fairly used. . . . We are not fretfully disposed, but we cannot help remarking that we have not received one syllable, either public or private, from Downing Street since we turned the corner on the 3rd December.'—Eden to Robinson, *Correspondence of the Right Hon. J. Beresford*, i. 161–162. 'Our session commenced on Tuesday last, with much good temper towards his Excellency and his secretary, and with a disposition towards Great Britain less suspicious than was ever known, and tending almost to cordiality.'—Ibid. p. 174. (March 21, Oct 13, 1781.)

[4] Ibid. p. 194.

It was disbursed by the ordinary clerks, and vouchers were duly sent in. 'In short,' he says, 'as we have not the constitutional pretext of foreign service, we have not any means of carrying into Parliament a demand for a sum without accounting for its uses. The mischief which has long resulted from this circumstance is not to be described, and in the present state of the country the wise application of about 3,000*l.* a year might be of a degree of importance to his Majesty's affairs beyond what words can estimate. . . . When I state it at 3,000*l.* a year, I state it much below what I would wish, and below what in my conscience, I believe, would be for his Majesty's interests to allow.' He accordingly proposed that the Lord Lieutenant should be authorised to draw such a sum from the King's privy purse, 'to be applied here to his Majesty's service and the effective conduct of government,' a favourable occasion being taken to throw upon the Irish revenue a pension to an equivalent amount in favour of some person whom his Majesty would otherwise have provided for from his English revenue.[1]

An embarrassing commercial question had just arisen. The free trade which had been so liberally granted to Ireland in 1779 had as yet been of very little use, for the war cut off all commercial intercourse with the American colonies, France, Spain, and Holland, and greatly added to the risks and difficulties of commerce with other countries. The Irish manufacturers had, however, sent some woollen goods to Portugal, and they heard with much astonishment and indignation that those goods were refused access into the country. By the Methuen treaty in 1703 'British' woollens had obtained a free entrance into Portugal, and it was contended that in all the commercial treaties made at that time Ireland was included under the term British. In consequence of that treaty the wines of Portugal were admitted into Ireland on more favourable terms than the wines of France. The Portuguese, however, denied that Ireland was included in the treaty, and they argued with much force that its signers cannot have contemplated the admission of Irish woollens into Portugal, because at that time the Irish

[1] July 15, 1781. Eden to Hillsborough (*most* secret). A book containing the entries for secret service money is preserved in the Irish State Paper Office, and quite supports the statement of Eden.

were expressly forbidden to export such goods to any country whatever. The English Government appears to have done what it could for the Irish, but its overtures were met by an obstinate resistance. It feared to alienate Portugal at a time when the greater part of Europe was actively hostile; and it was extremely anxious to prevent the Irish Parliament from dealing with the question, both because rash words might sow enmity between England and Portugal, and also because the interference of the Irish Parliament in imperial treaties would be a very dangerous precedent.[1]

In the summer months provincial reviews of the volunteers were held with much success. The movement showed no signs of flagging, and the volunteers had greatly increased in number and improved in discipline and in their equipments. At the Belfast review, which was the most considerable, 5,383 volunteers were on the field, with no less than thirteen field-pieces.[2] The number of volunteers in this review was nearly double that in the review of 1780; and it was alleged, though probably with some exaggeration, that the volunteers throughout Ireland towards the close of 1781 amounted to not less than 80,000 men.[3] The dangers of foreign invasion were still sufficient to stimulate all the energies of the country, and in June it was found necessary to provide convoys for vessels trading between England and Ireland. In September a combined French and Spanish fleet of thirty-four sail appeared in the Channel, and some of them approached the southern coast of Ireland.[4] Charlemont, who had recently been elected head of the Leinster and Ulster volunteers, at once waited upon the Lord Lieutenant, who informed him that there was every reason to believe that an immediate invasion was meditated, that an express had just been received furnishing many particulars, and that the city of Cork was probably the intended point of attack. The moment of danger was well fitted to show whether the political agitation in Ireland had yet taken the form of disaffection, but no traces

[1] A very voluminous correspondence on this subject will be found both in the Irish State Paper Office and the English Record Office.

[2] Dobbs, *History of Irish Affairs from* 1779 *to* 1782, p. 43.

[3] Barrington's *Rise and Fall of the Irish Nation*, ch. iv. Adolphus (*History of England*, iii. 351) estimates them at 100,000.

[4] See Grattan's *Life*, ii. 189.

of such a spirit were shown. The Ulster volunteers under the command of Charlemont, the Dublin volunteers under the command of the Duke of Leinster, volunteered in great numbers to march at once into Munster, to act under the King's Commander-in-Chief and to assist the very small force of regular troops. The offer was accepted in grateful though guarded terms, and it was computed that 15,000 men could be spared from Ulster for the defence of Munster without leaving the former province undefended. In Newry it was resolved to send all the younger volunteers southwards, and a corps called the Ladies' Fencibles was organised for the defence of the town and neighbourhood, in which no man was to be enrolled who was under fifty or was without a wife and children.[1]

The correspondence of the Lord Lieutenant shows that in the judgment of the Government the loyalty which was professed was not mere lip loyalty, and that the volunteer forces had become a very real and very powerful element in the defence of the country. Eden sent to Hillsborough their numerous addresses, 'in order,' as he said, 'to give your Lordship an early idea both of the great extent of this business and of the loyal and generous spirit which appears on the present occasion.' 'I cannot foresee,' he added, 'how far this matter may be understood, and how it may be construed in England; but here it is universally understood as a very pleasing turn in the whole political state of Ireland, creditable and strengthening to his Excellency's administration. . . . The

[1] Hardy's *Life of Charlemont*, i. pp. 404, 406, 407. 'In eventually accepting these offers of service I have used expressions as guarded as the nature of the situation would admit; but I have thought it my duty at the same time not to mark the least jealousy either of the strength or right disposition of the volunteer corps, but to accept their services with the utmost confidence. I am fully aware of the delicacy of the present circumstances, but as the military force of this country is utterly unequal to its effective defence should any powerful body of the enemy be landed here, and as such an armed force as the volunteers of Ireland would certainly not remain inactive in the case of an invasion, I have judged it the most expedient step I could take for H.M.'s service to secure to Government the direction and application of that force wherever it may be found most useful in the defence of the State. . . . At present it is my intention, if the exigencies of the State should require it, to employ the volunteer corps both in detached services and in the protection of those parts of the kingdom from which the military shall have been withdrawn, which might otherwise be left exposed to the ravages of the lower class of people, too liable at all times, and more especially in a time of confusion, to be tempted to acts of violence and plunder.'—Sept. 8, 1781. Carlisle to Hillsborough.

bodies of men who had embodied and disciplined themselves for military service, and who had hitherto acted in a line entirely separated from Government, are now cordially desirous to act implicitly and zealously under his Majesty's commands in whatever manner may be found expedient. It is a great and complicated machine, and subject to embarrassments and possible risks in the further conduct of it; but so far as I can understand it from the near view which I have of it, I trust his Excellency will . . . be able to model the whole business so as to render a very solid service to his Majesty's kingdom. . . . 11,000 or 12,000 seem to have already offered, others are coming in every moment.'[1] 'No event,' Lord Hillsborough wrote to the Lord Lieutenant, 'could be more fortunate for the public security than the resolution which has been taken to make those spirited offers of assistance which have lately been presented to your Excellency; and it gives the King great satisfaction to receive, at so critical a conjuncture as the present, additional proofs of that loyalty, duty, and affection which he has constantly experienced from his subjects in Ireland.'[2] Among the delegates of the volunteers who offered their unconditional services to the Government in the event of invasion was Henry Grattan; and a gratifying incident at this critical time was a letter from Mr. Goold, a Roman Catholic merchant of Cork, offering on the part of himself and his friends to furnish immediately 12,000 guineas for the purposes of defence, and to risk their whole fortunes in support of the Government.[3]

Carlisle wished much to thank the volunteers as such, in his speech in opening Parliament in October, and he represented to the Government that 'so long as these corps are commanded by noblemen and gentlemen of known attachment to Government, they cannot furnish subject of apprehension, and as long as their loyalty is cherished and kept warm, the lower ranks will not withdraw themselves from commanders of a like disposition.'[4] Hillsborough, however, refused to allow any public recognition of the volunteer corps to be expressed on the part of the Crown, and the Lord Lieutenant was obliged to confine

[1] Sept. 14, 1781. Eden to Hillsborough (secret).
[2] Sept. 15, 1781. Hillsborough to Carlisle.
[3] Sept. 17, 1781. Carlisle to Hillsborough (private).
[4] Sept. 24, 1781.

himself to a general acknowledgment of the 'spirited offers of assistance' he had received from all parts of the kingdom. In the instructions he received to guide his administration during the ensuing session he was desired as far as possible to divert the Parliament from all constitutional questions, and to oppose with all his power any attempt to carry a declaration of independence, the repeal of Poyning's Act, or the limitation of the Mutiny Act. The Habeas Corpus Bill the Government resolved after some hesitation to accept, provided a clause were inserted enabling the Lord Lieutenant to suspend it when Parliament was not sitting. The Bill securing the independence of the judges they determined strenuously to resist unless it was accompanied by the clauses which had been introduced under Lord Townshend.[1] Lord Shannon, the Duke of Leinster, Lord Ely, and Lord Tyrone agreed to support the Government, and although a great preponderance of talent was independent of or opposed to it, they could count upon a respectable majority in the House. Outside the House, however, there was an almost undivided determination among the Irish Protestants to press on the great question of legislative independence.

Among the first measures of the Parliament which met in October was another unanimous vote of thanks to the volunteers for their recent conduct, and a Habeas Corpus Bill was introduced and carried with little discussion. The question of the trade with Portugal gave rise to more than one long and angry debate; and some unfounded suspicions of the sincerity of the English Government were expressed, as well as some not unnatural indignation that a question of such capital importance to Ireland should not have been mentioned in the Speech from the Throne. An address to the King was ultimately agreed on,[2] and the debates were chiefly remarkable for the tone of undisguised hostility to ministers adopted by Flood. During the administration of Harcourt he had cordially supported, and had probably in some degree influenced, the Government, but under Lord Buckingham he complained bitterly that he was treated as 'a mere placeman,' without confidence and without power, and he appears in consequence to have absented himself

[1] *Carlisle* to Hillsborough, Sept. 29, Oct. 21, 1781.
15. Hillsborough to Carlisle, Sept.
[2] Commons' *Journals*, xx. p. 286.

on important occasions from meetings of the Privy Council, and to have rarely voted and scarcely ever spoken for the Government in Parliament. His interposition in favour of the free trade amendment had greatly embarrassed them. In the Privy Council he advocated the limitation of the Mutiny Act, and his attitude on the occasion of Grattan's motion for a declaration of independence in 1780 was evidently intended to save that motion from defeat. In general, however, he who had under Lord Townshend been the most prominent orator in the Irish House of Commons sat there a silent and a moody man, occupying a position which was manifestly a false one, and not trusted on either side. Buckingham for a long time desired to remove him from his office, but the English Government took no notice of his request.[1] It is stated, though on no very good authority, that Flood had actually written out his resignation and entrusted it to Jenkinson, but it is certain that it never was presented.[2] He was now, at the request of Lord Carlisle, replaced in his office of Vice-Treasurer by Lord Shannon, and removed from his seat in the Privy Council; and from this time, with a somewhat damaged reputation, and amid many taunts at his long silence, he took a prominent part in opposition, and showed an evident desire to resume the direction of those popular questions which had now been taken up by others.

A question which had not yet been considered was raised by Yelverton at the beginning of the session. The Irish coast had recently been almost absolutely unprotected and Irish vessels continually captured, the English fleet being chiefly occupied in other parts of the globe. Yelverton proposed that some frigates should be built at Irish expense and devoted wholly to the protection of the Irish coast. The plan was postponed at the desire of the Government; but Lord North thought it feasible provided the Irish fleet remained under the full control of the Admiralty. Hillsborough, however, expressed his dissent in a letter which throws a vivid ray on his secret intentions. 'I do not like,' he said, 'the beginning of anything like a navy under the Parliament of Ireland. It opens a door to I cannot tell what, that raises some alarm in my mind. As soon as the Union

[1] Buckingham to Hillsborough, Nov. 20, 1780.

[2] Warden Flood's *Life of Flood*, pp. 129–130.

I wish for takes place, you cannot have too many dockyards, shipbuilders, &c., and I very sincerely hope the glory of your Excellency's administration may be crowned with the completion of that important and salutary measure.'[1]

A few other measures were brought in which may be briefly dismissed. A Habeas Corpus Bill was passed with general concurrence and sent over to England. The salaries of the judges were raised; Grattan, seconded by Flood, moved a limitation of the perpetual Mutiny Act, but was defeated by an overwhelming majority; and Flood, who again brought forward the question in a slightly different form, was induced to withdraw it. The Government seemed decidedly gaining ground in the House; and before the close of the winter Daly, Fitzgibbon, Bushe, Ponsonby and his friends, and all the Donegal interest except Yelverton, had passed from partial or complete opposition into a support of the Government. Outside the House the prospect was more dubious, and the Lord Lieutenant stated that he found the state of the country much more critical than was imagined in England; 'nearly the whole body of the people in arms, well appointed, and in a great degree disciplined, . . . much relaxed as to any idea and principle of government, full of speculative earnestness for fanciful improvements in their constitution.' He believed, however, that the danger was diminishing, that there was no disloyalty, though much heat and suspicion, and that for the present at least he had succeeded in conciliating the good opinion and confidence of the kingdom.[2]

On December 4, Yelverton was to bring forward his important measure for amending, and in part repealing, Poyning's Act; but the news had just arrived of the capture of the army of Lord Cornwallis in Virginia, and every other consideration was absorbed by the crushing calamity which had fallen on the English name. Few things in parliamentary history are less pleasing than the furious party recriminations which in the English Parliament immediately followed the announcement of the disasters both of Saratoga and of Yorktown. In the Irish Parliament no such spirit was displayed.

[1] Dec. 3, 1781. Hillsborough to Carlisle.

[2] Nov. 10, 1781. Carlisle to Hillsborough.

'Mr. Yelverton,' wrote the Lord Lieutenant, 'postponed his intended motion, and, with a propriety which was felt universally by the House, proposed an address to his Majesty full of loyalty to his royal person, family, and Government, with offers of assistance of that House. . . . He introduced it with a speech of much dignity, expressive of the firmest attachment to his Majesty and to the interests of Great Britain.'[1] 'I must do this general justice,' adds the Viceroy, 'to every gentleman who rose in the debate, to say that they seemed to vie with each other in forcible expressions of affectionate duty to the King and sincere attachment to the interests of Great Britain, and the rest of the members by their warm and repeated approbation of such expressions demonstrated their cordial concurrence in them. I have sincere pleasure in this confirmation of my opinion that his Majesty has not anywhere more faithful subjects than his people of Ireland.' The address did not, however, pass without some opposition. Both Flood and Grattan urged that it should include a demand or recognition of Irish independence; both of them, while supporting a full tender of Irish services against foreign enemies, objected to any expressions encouraging a continuance of hostility against America; and Grattan, in a speech which the Lord Lieutenant described as replete with art and eloquence, urged that Ireland would only be following the best English precedents in joining 'redress of grievances to an offer of supply.' The House, however, was in no mood for such a proceeding, and Yelverton's address was carried by 167 to 37.[2]

The question of Poyning's law was again introduced independently both by Flood and Yelverton. The former maintained, in a speech three and a half hours long, that the power of the Irish Privy Council to alter heads of Bills before transmitting them to England was no part of its original intention, and rested solely on an erroneous decision of the judges in 1692. Yelverton entirely dissented from this view of the law, and there was a perceptible difference, both in tone and arguments, between the two speakers, though the objects at which they were aiming were substantially the same. Yelverton, who was a very able, a very moderate, and a very honest man,

[1] Dec. 5, 1781. Carlisle to Hillsborough. [2] Ibid.

and whose legal knowledge was of great advantage to the popular party, seems to have been always ready to waive personal questions; but the conduct of Flood was marked with some violence and much jealousy. On one occasion he complained bitterly that 'after a service of twenty years in the study of a particular question, it was taken out of his hands and entirely wrested from him;' and he added, 'the honourable gentleman is erecting a temple to liberty; I hope therefore at least I shall be allowed a niche in the fane.' Yelverton reminded him in reply, that 'if a man marries a wife and lives with her in constancy it is a crime to take her away from him; but that by the criminal law, if a man shall separate from his wife, desert and abandon her for seven years, another might then take her up and give her his protection.'[1]

It was clear, however, that the House was in no disposition to oppose the Government on the question of Poyning's law, and a committee which Flood desired on the subject was refused by 66 to 135. At the same time the Lord Lieutenant was secretly counselling compliance with the demand of Yelverton, who stood wholly aloof from the Government, but for whose abilities and character he retained a very warm respect. Yelverton asked that the Irish Privy Council should be restricted to sending over to England the proceedings of the Irish Parliament without alteration, and this demand Carlisle thought should be accepted. 'The present time,' he wrote, 'is well suited to quieting these great questions in the most moderate manner. The independence of Irish legislation is become the creed of the kingdom; but on any reasonable point which does not contravene that principle I am confident that his Majesty's Government possesses a loyal, practicable, and affectionate support.' He urged above all things, as of vital importance in the present crisis, that Ireland should not be included in any British Act. 'Every regulation or restriction which Great Britain may think fit to subject herself to, and which she may consider as equally incumbent upon Ireland, will be cheerfully adopted by this country and effectually executed by Irish laws. The insertion, therefore, of Ireland in British Acts is become quite unnecessary, and the general and most generous readiness to adopt any measure in this Parliament

[1] *Parl. Debates*, i. 189.

that can be thought expedient in England for the benefit of both countries was well exemplified last week in the unanimous concurrence of the House of Commons in the Bill for regulating bounties, drawbacks, &c.'[1]

The Habeas Corpus Bill was returned from England and became law, thus realising one great object of the national party. Another subject of a still more important character was a contemplated measure in favour of the Roman Catholics. This measure, like that of 1778, emanated chiefly from the independent section in Parliament. On December 29, when Parliament had entered on the Christmas recess, Carlisle wrote to Hillsborough, stating that some such measure was in contemplation. 'The members who take the lead in this are chiefly independent gentlemen, though some of them are disposed to show a degree of deference to the sentiments of the Government.'[2] Hillsborough, in reply, urged that the time was not suited for a Catholic Bill. He reminded the Lord Lieutenant of the extent and violence of the disturbance which the English Bill in favour of the Catholics had produced in England, and feared that new concessions at this time might lead to new outrages. 'On the other hand, the Roman Catholics, whose conduct towards Government has for many years been not only unexceptionable but meritorious, will feel rather disappointed than gratified by such a Bill as Mr. Gardiner's appears to be. Every liberal-minded man wishes to go further in their favour,' and probably they would themselves wish the question to be postponed till more could be done. At the same time Hillsborough is careful to explain that he does not 'mean to suggest any absolute discouragement,' and that if a Bill is transmitted from Ireland, it will be very carefully considered. 'But,' he says, 'your Excellency ought to be informed that the prejudices upon matters of this kind in the North of Ireland go to a violence hardly to be credited, and much beyond those of their too near neighbours in Scotland.'[3]

Hillsborough, as the event showed, misjudged the condition of the country, and had not realised the power of the national

[1] Dec. 29. 1781 (secret and confidential).

[2] Dec. 29, 1781. Carlisle to Hillsborough (secret and confidential).

[3] Jan. 24, 1782. Hillsborough to Carlisle.

movement which had recently arisen in assuaging sectarian animosities. On January 31, 1782, when Parliament met after the adjournment, Gardiner gave notice of a Bill for the relief of Roman Catholics, and it was discussed in a somewhat desultory manner in several debates. It soon appeared that there was no real difference of opinion in the Irish Parliament about the propriety of giving a large and substantial relief to the Catholics, though there was some divergence of opinion about its exact amount, some alarm at the complexity of the subject arising from the great number of laws that must be repealed, and some fear lest an incautious measure should shake the security of property that was held under the Act of Settlement. On two important points—the propriety of granting the Catholics a complete religious toleration and a full and unrestricted possession of property—there was a perfect agreement;[1] but opinion was much divided about the expediency of giving them arms or votes, and allowing them to intermarry with Protestants; and the question having been relegated to a committee, only the preliminary steps had been taken before the change in the English ministry and the Irish constitution.

Some speeches, however, were delivered on the condition of Catholic education which are extremely remarkable from the light they throw on the real state of Irish Protestant feeling, and on the wide gulf that lay between the letter of the law and its actual administration. Fitzgibbon, while strongly defending the laws which prohibited foreign education, said, 'I know to the honour of the present heads of the University that Catholics are received in it at this day by connivance. . . . The University of Dublin is open to them, and if they decline the advantage it is not on account of religion, for no religious conformity will be required.' Hely Hutchinson, the Provost of the University, was present, and he did not deny that at this time Roman Catholics were actually to be found among the students, but he desired that their admission should be legalised on the largest scale; and as the head of that great Protestant corporation he sketched the following very remarkable scheme for Irish education. 'My opinion,' he said, 'is strongly against sending Roman Catholics abroad for education,

[1] *Parl. Debates*, i. p. 307.

nor would I establish Popish colleges at home. Our gracious sovereign, who is the legislator of the University of Dublin, may, I think, with ease be prevailed upon to pass a statute for admitting Catholics; and whenever I receive his pleasure on that subject, I shall be truly happy in obeying. The advantage of being admitted into the University of Dublin will be very great to Catholics. . . . If Roman Catholics are to participate in these advantages . . . they need not be obliged to attend the Divinity Professor, they may have one of their own; and I would have a part of the public money applied to their use, to the support of a number of poor lads as sizars, and to provide premiums for persons of merit, for I would have them go into examinations and make no distinction between them and the Protestants but such as merit might claim. . . . In order to prepare Roman Catholics for the University, I would increase the number of diocesan schools and have Catholics instructed gratis in them; from thence they might come to Dublin, where they could live upon easier terms than in any other part of Ireland if it be considered that almost every family in the kingdom have friends or relations settled here. . . . I am an enemy to force when applied to the mind; let us by gentle means induce Roman Catholics to receive all the information they can—in God's name let them choose for themselves. . . . It is certainly a matter of importance that the education of their priests should be as perfect as possible, and that if they have any prejudices they should be prejudices in favour of their own country. I therefore think that a clause to regulate their education will give this Bill the best assurance of success. The present laws are disgraceful; they prohibit the Roman Catholics from receiving any education at all, and therefore should be abolished. The Roman Catholics should receive the best education in the established University at the public expense; but by no means should Popish colleges be allowed, for by them we should again have the press groaning with themes of controversy, college against college, and subjects of religious disputation that have long slept in oblivion would again awake, and awaken with them all the worst passions of the human mind.'[1]

While these questions were discussed in Parliament discon-

[1] *Parl. Debates*, i. pp. 309, 310.

tent and exasperation were growing rapidly beyond its walls. A Parliament which had uniformly supported by enormous majorities the administration of Lord Carlisle, which had rejected every attempt to repeal or modify Poyning's law, and which showed itself completely subservient to a few venal borough-owners, was no faithful representative of the sentiments or the aspirations of the Protestants of Ireland. Political resolutions had already emanated frequently from the volunteer body, and delegates from different corps had occasionally assembled; but a conviction was now spreading that it was necessary to bring the influence of the force in a more organised and emphatic form into the domain of home politics. On December 28, 1781, the officers and delegates of the first Ulster regiment, commanded by Lord Charlemont, assembled at Armagh under the presidency of Francis Evans, and passed a series of resolutions deploring the little attention paid to constitutional rights by the majority of those whose special duty was to establish them, and asserting that the constitution could only be restored to its original purity by the most vigorous efforts to root out corruption and court influence from the legislative body. In order to attain this end they summoned a meeting at Dungannon of delegates from all the volunteers of Ulster to discuss the present alarming condition of public affairs, and to publish to the country the results of their deliberations.

It was on February 15, 1782, that the delegates of 143 corps of Ulster volunteers assembled in obedience to this invitation, in full uniform, in the great church of Dungannon. They were some of them men of high rank, and most of them men of large property and of excellent character, and they conducted their debates with a gravity, decorum, and moderation which no assembly could have surpassed. Elected by a popular constituency of 25,000 armed men, free from the borough influence and from the corruption which tainted the Parliament in Dublin, animated with a consciousness of great services performed and with a sincere and ardent patriotism, they were undoubtedly the most faithful representatives then sitting of the opinions and wishes of the Irish Protestants. Colonel *William* Irvine was called to the chair, and a series of resolu*tions,* drawn up by Charlemont, Flood, Grattan, Stewart the

member for Tyrone, and Francis Dobbs, were submitted to the assembly. They first unanimously asserted their right of deliberation by resolving that 'a citizen by learning the use of arms does not abandon any of his civil rights.' They then resolved with equal unanimity that 'a claim of any body of men, other than the King, Lords, and Commons of Ireland, to make laws to bind this kingdom is unconstitutional, illegal, and a grievance;' that 'the ports of this country are by right open to all foreign countries not at war with the King;' 'that any burden thereupon or obstruction thereto, save only by the Parliament of Ireland, is unconstitutional, illegal, and a grievance;' and that 'the independence of judges is equally essential to the impartial administration of justice in Ireland as in England.' With a single dissenting voice they resolved 'that the power exercised by the Privy Council of both kingdoms under, or under colour or pretence of, the law of Poyning, was unconstitutional and a grievance;' that 'a Mutiny Bill not limited in point of duration from session to session is unconstitutional and a grievance;' and that 'the minority of Parliament were entitled to their most grateful thanks.' With eleven dissenting voices they pledged themselves 'as freeholders, fellow-citizens, and men of honour,' at every coming election to support only those candidates who would seek a redress of these grievances, and to use all constitutional means to make the pursuit of redress speedy and effectual. They then unanimously determined that four members from each county in Ulster should be formed into a committee to act for the volunteers till the next general meeting, and to call general meetings of the province when required; that another general meeting should be summoned in twelve months from the present, or within fourteen days of the dissolution of Parliament, should such an event take place sooner; that the committee should appoint nine of their number to be a committee in Dublin, in order to enter into communication with such volunteer associations in other provinces as may enter into similar resolutions, and to deliberate with them on the most constitutional means of carrying them into effect. Then, after pledging themselves to consume no Portuguese wine till the restrictions had been taken off Irish exports to Portugal, they passed two memorable resolutions which had been

drawn up by Grattan. They resolved, 'that we hold the right of private judgment in matters of religion to be equally sacred in others as in ourselves; that as men and as Irishmen, as Christians and as Protestants, we rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and the prosperity of the inhabitants of Ireland.' These resolutions, which marked the close of the long political schism between the Protestants and Catholics, were carried through the great representative body of the most Protestant province of Ireland with only two dissentient voices. Three clergymen, one of them an Anglican and the other two Presbyterians, were among the delegates, and they were also among the most prominent supporters of the resolutions, not only on grounds of policy, but on grounds of Christianity. 'The place we met in,' wrote Dobbs, who took a conspicuous part in these transactions, 'was the church, and I trust our proceedings did not pollute it.' The assembly before breaking up issued an address to the minority in Parliament. 'We thank you,' they said, 'for your noble and spirited though hitherto ineffectual efforts in defence of the great constitutional rights of your country. . . . The almost unanimous voice of the people is with you, and in a free country the voice of the people must prevail. We know our duty to our sovereign, and are loyal. We know our duty to ourselves, and are resolved to be free. We seek for our rights, and no more than our rights, and in so just a pursuit we should doubt the being of a Providence if we doubted of success.'[1]

The assembly at Dungannon had an immediate influence of the most decisive kind. Ulster was the heart of the volunteer movement as it was the heart of the Protestantism of Ireland; and it became evident that no reliance could be henceforth placed on the continuance of those divisions and religious animosities which had hitherto paralysed the political energies of the nation. In all parts of the country the volunteer corps, guided by the leading gentry, and including all that was most respectable and most energetic among the Protestants, hastened

[1] *Dobbs's History of Irish Affairs from Oct. 12, 1779, to Sept.* 15, 1792. Barrington's *Rise and Fall of the Irish Nation.*

to give their adhesion to the resolutions of Dungannon. The grand juries in almost every county passed resolutions asserting the right of Ireland to legislative independence,[1] and it was evident that on this question all classes were substantially united. A few days after the Dungannon resolutions, Grattan, in a speech two hours long, moved in the House of Commons an address to the King containing a declaration of the independence of the Irish Legislature. His speech comprised a full review of the authorities in favour of the doctrine of the sole competency of the King, Lords, and Commons of Ireland to make laws binding Ireland; he maintained that the doctrine of Ireland being bound by British Acts of Parliament was subsequent to the Restoration, and rested not on any basis of right but solely on precedents such as might be adduced in England for the violation of the great charter, for forced loans, for ship-money, or for royal proclamations having the authority of law, and he concluded that the present moment was an eminently favourable one for securing the liberties of Ireland. It was impossible that England could safely refuse to the loyalty of Ireland the privilege she had offered to the arms of America, and he predicted, in a passage to which a hundred years have only given an additional significance, that American influence would long be felt in Irish politics. 'Do you see nothing,' he said, 'in that America but the grave and prison of your armies? And do you not see in her range of territory, cheapness of living, variety of climate and simplicity of life, the drain of Europe? Whatever is bold and disconsolate . . . . to that point will precipitate, and what you trample on in Europe will sting you in America.'[2]

'His speech,' wrote the Lord Lieutenant, 'was interwoven with expressions of loyalty to the King, and with sentiments of affection to and inseparable connection with Great Britain, of a disposition to give her every possible assistance, yet with a determination never to yield to the supremacy of the British Legislature.' Brownlow seconded the address. Burgh, Flood, Yelverton, Forbes, Sir Lucius O'Brien, and others defended it. The Attorney-General, supported by Ponsonby, Bushe, Day, and the Provost moved the postponement of the question, and they

[1] Private, March 26, 1782. Carlisle to Hillsborough.
[2] Grattan's *Speeches*, i. 117–118.

carried their point by 137 to 68. Flood immediately said he would speedily renew it in another form. 'I must not omit to inform your Lordship,' wrote Carlisle, 'that, through the whole course of this debate the principle of Ireland not being bound by acts of the British legislature was most strenuously supported by every man who spoke on either side, even by those the most zealous in support of the Government, except only the Attorney-General who, duly regarding his official situation, avoided declaring his opinion upon the question of law, though repeatedly and urgently called upon by Opposition.'[1]

The secret letters of the Lord Lieutenant at this crisis are so important, as showing the condition of opinion and the total impossibility of maintaining the old system of government, that it is necessary to quote them at some length. In a private letter of the same date as the last despatch, he wrote: 'The principle of Ireland not being bound by the laws of another Legislature is universally insisted upon with that enthusiasm and steady determination which leave no reason to imagine it will be abandoned. It has been spread with such industry that every rank and order in the nation are possessed of it, and I very much question whether any man of practice in the profession of the law would advise a client to bring his cause to issue upon the validity of a British Act in this kingdom, or whether a jury could be found to give a verdict on that foundation.' He again urgently asks that Ireland should not be mentioned in any British statute. 'Should any regulations be necessary to extend to this kingdom as well as to Great Britain, I have not the least reason to doubt that the nation would immediately enact them by her own laws.'[2] No signs of disaffection to the connection appeared, and it was a significant sign of the wish of Parliament to act in harmony with the Lord Lieutenant, that they selected this period to accomplish a scheme which had been suggested under Lord Townshend, and to purchase for him the Lodge in Phœnix Park as a summer residence. The most formidable objection which had been brought in Ireland against the declaration of independence was that an assertion that the English Parliament had no right to legislate for Ire-

[1] Feb. 23, 1782. Carlisle to Hillsborough.
[2] Feb. 23, 1782. (Private.) Carlisle to Hillsborough.

ralidate the titles of the numerous landowners
ıed their properties after the great measures of
ıd who held them on the security of English Acts

In order to remove this objection, which had
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ch, introduced a Bill adopting and giving force
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any way affected the settlement of property in
utually affected and conferred equal benefits on
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tan,' wrote Carlisle, 'from a natural enthusiasm,
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been to suffer in no case whatever the smallest
any of the asserted rights of Great Britain;' but
ld not be much longer successfully pursued. 'The
reasoning disposition of the volunteers of this
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Ireland (*sic*) was utterly and totally impracticable
arrived in this kingdom. There was not a magis-
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e attempt would have been madness, as it was
eive a general and decided resistance. There was
ı the kingdom who would find a verdict under a

Under such circumstances, to the great regret
nent of the Lord Lieutenant, four or five A

[1] *Parl. Debates*, i. 327.

mentioning Ireland had only last session been suffered to pass the British Parliament. The very existence of permanent good government here depends upon keeping the supporters of ministers 'in the fair opinion of their countrymen.' Yelverton's proposed Bill the Lord Lieutenant strongly supports. 'Mr. Yelverton stands very high in the opinion of the popular part of this kingdom. He has in several recent and essential instances shown a most sincere disposition to promote the loyalty and maintain the mutual interests of all his Majesty's dominions. It peculiarly became him to stand forth on the present subject, as his extensive practice at the bar had furnished him with many repeated instances of the determination of Irish juries, as well in matters of commerce as of private property, to place English laws totally out of their consideration.' It was seconded by 'a gentleman of so independent a character, and so cordially disposed towards Government, as Mr. Fitzgibbon.' 'It has long been the unanimous sentiment of every moderate-minded man of the best abilities in this kingdom, that the question of legislation is gradually tending to some very serious issue.'[1]

Hillsborough answered, in evident perplexity, that it was now useless to give instructions for opposing Yelverton's Bill, but that he greatly questioned whether the Privy Council would return it 'without the consent and approbation of the Parliament of England.' The condition of Ireland appeared to him exceedingly alarming, and he was especially startled by a paper which was circulating through the grand juries, binding them, in all capacities, to recognise only Irish statutes.[2]

It is perfectly idle, Carlisle somewhat impatiently continued, to dwell any longer on 'that bone of contention the Declaratory Act of George I.,' asserting the right of the English Legislature to bind Ireland. There is an 'utter and universal despair among all descriptions of men of ever seeing that period when the right in question will ever be enforced on one hand or submitted to on the other. The proposed Bill [of Yelverton] takes a middle and a lenient course. . . . It has a friendly tendency and an honest meaning, . . . and holds out, in my poor judg-

[1] March 3, 1782. (Most secret.) Carlisle to Hillsborough.
[2] March 12, 1782. Hillsborough to Carlisle. (Most secret.)

ment, a favourable and dignified opportunity to Great Britain at least to cut down this plant from which nothing wholesome will be ever gathered.' It is now passing through Committee, and 'those gentlemen, and Mr. Grattan in particular, considered the Bill to be a measure of conciliation facilitating the intended declaration of independent legislation which Mr. Grattan again gave notice should be moved by him immediately after the recess.' The conciliatory Act offered by the Government to America was again quoted as an example. 'Mr. Grattan said that the liberal allowance of new rights would for ever remove all rankling jealousies between the two countries. . . . I must add, that in all the debates upon this subject, there has been a general expression of the most cordial wishes that Ireland should be considered as inseparably united in interests with Great Britain, and that the commerce of this kingdom should at all times be governed by regulations similar to those of Great Britain.'[1]

On March 14 the House adjourned for the Easter recess till April 16, and a few days after the adjournment Carlisle wrote a long and very striking letter reviewing the whole history of his administration. When he first arrived in Ireland, he says, 'all respect essential to good government was obliterated from the minds of the lower classes of people; the higher ranks stood aloof from administration, and such of the leading individuals as did not join the popular measures were in the practice of giving feeble and disjointed support to the Lord Lieutenant.' The manufacturers found themselves poor and helpless, and by no means the better for the trade laws. Grattan's declaration of independence was with difficulty 'postponed by assurances from the principal men in office, that England having desisted from the practice [of legislating for Ireland] it was unnecessary to declare against it. In this temper the session ended in September 1780, and the volunteer associations, which nearly trebled the established military force of the kingdom, . . . began to frame regular battalions, with troops of cavalry and trains of artillery.' They were not disloyal, but they might easily have become so; and it was constantly reported that the military preparations were made to defend Ireland from 'foreign and domestic

[1] March 12, 1782. (Most secret.) Carlisle to Hillsborough.

enemies,' the latter term being tacitly construed to mean the enemies of parliamentary independence. To add to the difficulty of the situation, 'within four months of the time of my departure, five laws passed in the English Parliament to bind Ireland. As they related to subjects of little importance, I presume they passed from mere inadvertence.' Carlisle had, however, taken every possible means to restore the action of the law. The alarm of French invasion enabled him to conciliate the volunteers. The leading people were to a great extent won over, and he had obtained in the present Parliament 'a system of support and demonstrations of regard more extensive and more steady than any Government here ever experienced.' Many good revenue laws were passed. 'The trying questions respecting the Mutiny Bill, Poyning's law, a proposed address on the Judges' Bill, the treaties with Portugal, &c., were all either negatived or postponed,' and the unanimous vote for a country residence showed the personal regard of the Commons for the Governor. In the midst of these transactions the late Acts binding Ireland were discovered and brought forward. Except that relating to marines, all were re-enacted by the Irish Parliament. But the alarm went through the country; 'the Dungannon meeting, which had been advertised by a small party of Presbyterians in the North without any decided object at the time, availed themselves of the occasion and founded their resolves upon it.' Flood and Grattan successively brought forward resolutions. 'The Lawyers' corps in Dublin were induced to adopt the Dungannon resolutions. . . . The popular ferment increased, and it was evident that combinations would soon take place to secure the property of Irish residents held under English Acts.' If Government resisted any longer it 'would infallibly lose all weight in the kingdom,' and all well-judging men considered it a very fortunate thing that the question had fallen into such moderate hands as those of Yelverton. 'The character and weight of his Majesty's Government are safe, and the public peace is likely to be secured, if the present opening can be successfully used for the removal of all jealousies and apprehensions. It is beyond a doubt that the practicability of governing Ireland by English laws is become utterly visionary. It is with me equally beyond a doubt that Ireland may be well

and happily governed by its own laws. It is, however, by no means so clear that if the present moment is neglected this country will not be driven into a state of confusion, the end of which no man can foresee or limit.'[1]

A week later he again wrote to Hillsborough, strongly urging 'the return of Mr. Yelverton's Bill without any material alteration.' 'I even venture,' he added, 'to submit that it may deserve the serious consideration of the ministers in whom his Majesty may place his confidence, whether the repeal of the 6 Geo. I. might not be a measure equally becoming and wise. . . . . If the measure to which I have here adverted should take place, the line which I am to pursue will be plain and obvious. If, on the contrary, it should be thought inexpedient, I wish to know whether my Chief Secretary is expected to make any opposition to the motion which will be made by Mr. Grattan on April 16, declaratory of the independence of the Irish Parliament. I have in former letters observed to your Lordship that my Government on every other point has the support of a most respectable and very large majority, and even resisted this particular question in several shapes in the course of the present session, but that under the universal eagerness which has taken place through the kingdom to have this claim decided, I cannot expect the friends of administration to sacrifice for ever their weight among their countrymen by a resistance which would possibly lead to serious consequences.'[2] The grand juries through the country were everywhere passing resolutions declaring the sole right of the King, Lords, and Commons of Ireland to pass laws for Ireland, and demanding the repeal of Poyning's law. 'The friends of Government who might be supposed to support tenets contrary to the principle of independent legislation would lose their weight in this country if that point should remain long undecided. The volunteer associations (already in some places made use of in electioneering purposes) have set the example in the county of Galway by withdrawing themselves from the command of Mr. Daly, and of other gentlemen who have shown themselves well-wishers of administration. . . . It is my serious opinion that if the first day of

[1] March 19, 1782. (Private.) Carlisle to Hillsborough.
[2] March 27, 1782. Carlisle to Hillsborough.

the next meeting of Parliament does not quiet the minds of the people on that point, hardly a friend of Government will have any prospect of holding his seat for a county or popular corporation, and what is more immediately interesting, they will also lose their present subsisting influence over the armed Associations.'[1]

The letters from which I have now so largely quoted appear to me those of an eminently honest and well-meaning man, and of a man who had a very considerable insight into the true conditions of Irish politics. Personally, Lord Carlisle seems to have been much respected, and I cannot attribute the large amount of support his government obtained in Parliament, solely or even mainly to corrupt motives. There are no signs in this administration of the wholesale corruption which was practised under its predecessor, and the timidity and procrastination, the strange contrasts between speeches and votes that may be found in the majority, were probably largely due to the fact that many who wished to see legislative independence in Ireland were still more anxious that it should be effected by the initiative of the Government, without weakening the executive or disturbing the good relations between the two countries.

The popular movement which was pressing on irresistibly to a triumphant issue we have hitherto looked upon chiefly as it is revealed in the despatches of the Government, and it is obvious that such a medium is an exceedingly unfavourable one. Every administrator has inevitably a certain bias against the opponents of his policy, and in describing them he is tolerably sure to underrate either their honesty, their ability, or their power. Yet even looked at through this disadvantageous medium the national movement in Ireland will, I think, appear worthy of a very high degree of admiration. Some slight traces of personal ambition and a good deal of boastfulness and extravagance of language may no doubt be descried, but on the whole very few great movements of prolonged popular excitement have been conducted with so much sagacity and self-restraint, and have been disfigured by so little violence or corruption or crime. Charlemont and Grattan, in the purity of their motives

[1] Carlisle to Hillsborough. March 28, 1782.

and in the high quality of their patriotism, were not inferior to Hampden or Washington. The great unpaid armed force which the necessities of the country had evoked,—self-constituted, self-governed, and for the most part self-armed,—was guilty of absolutely no acts of violence, while it was discharging functions of the highest utility. It had made the country thoroughly defensible and had probably saved it from invasion. It had attained a degree of discipline, which though no doubt inferior to that of a regular army, made it for defensive purposes exceedingly formidable. It was everywhere employed in necessary police functions, guarding gaols, escorting prisoners, keeping order at public meetings, securing property. It had chosen and steadily maintained at its head men who in character and property were among the foremost in the country, and for a long space of time its different corps had acted together with a remarkable harmony. With the exception of a single riot in Dublin, we have found no trace of that ill-usage of unpopular politicians which was so conspicuous in the corresponding movement in America, while under the influence of the national spirit animosities of the most dangerous and inveterate character were rapidly fading. The hostility of the Anglican to the Presbyterian seemed to have wholly ceased; the division between the Protestant and Catholic had greatly diminished. Hitherto the two great ends of the Irish patriots had been steadily maintained and cordially combined. They were resolved to obtain for their country the constitutional freedom which England had secured by the Revolution of 1688, and they were no less firmly resolved to preserve a sincere, strenuous, and fruitful loyalty to the Crown and to the connection.

The establishment of legislative independence had become inevitable from the simple impossibility of governing Ireland on any other condition. The overwhelming majority of the classes in whose hands the administration of the country practically lay, were determined to obtain it, and no Government could have long delayed it; but the merit or the humiliation of conceding it was not reserved for the administration of Lord Carlisle. Before the Irish Parliament met after the Easter recess the Government of Lord North had fallen. The disasters in America had struck a death-blow to its popularity;

in division after division its supporters steadily diminished, and on the 20th of March Lord North announced that the ministry only held office till their successors were appointed. Rockingham became First Lord of the Treasury, Fox and Shelburne were Secretaries of State. Lord Carlisle was removed with circumstances of great abruptness and discourtesy from the government of Ireland; the Duke of Portland was appointed in his place, and Mr. Fitzpatrick accompanied him as Chief Secretary.

The men who now rose to power had long advocated the claims of America on those Whig principles which were the basis of the claims of Ireland to self-legislation. Rockingham and Fox, as well as Burke, were intimate friends of Charlemont, the leader of the volunteers. On April 8 the English Parliament met, and on that very day an attempt was made from an unexpected quarter to force the hand of the Government on the question of Ireland. Lord Carmarthen had been removed by the late administration from the Lieutenancy of the East Riding of Yorkshire, and Lord Carlisle had been appointed in his place. One of the first acts of the new Government was to remove Carlisle and replace Carmarthen. Eden had just come to England with the resignation of the Viceroy, and he resented bitterly, and resolved to revenge, the manner in which his chief was treated. He refused positively to hold any communication with the new Government, and availing himself of the seat which he still held in the English House of Commons, he appeared there on the first day of its assembly, and after a vehement speech in which he described the overwhelming power of the volunteers, the unanimity of Irish opinion, and the impossibility of withholding independence, he gave notice of his intention to move a repeal of the Declaratory Act of George I. Such a notice, emanating at such a time from a late Chief Secretary who had been officially employed in resisting the motions for independence, was extremely embarrassing to the Government, and Fox in a very powerful speech rebuked the attempt to hurry the ministry into a premature disclosure of their designs. Next day a Royal message was sent to both Houses deploring the discontent prevailing in Ireland, and calling on Parliament to take it into consideration, 'in

order to such a final adjustment as may give mutual satisfaction to both kingdoms.'

In Ireland a special summons in a very unusual form had been already issued by the Speaker at the direction of the House, ordering the members to attend on April 16, the day following the Easter recess, 'as they tender the rights of the Irish Parliament.' As the Duke of Portland and Mr. Fitzpatrick only arrived in Ireland on the 14th, great efforts were made to procure an adjournment for a fortnight or three weeks, in order to enable them to master the situation of the country before Parliament had taken any decisive line, and both Fox and Rockingham wrote strongly to Charlemont in this sense. Grattan was still very ill, having lately undergone a painful surgical operation, but he refused to allow any adjournment, declaring that the expectations of the country had been raised to the highest point by the very unusual call of the House, that the proposed measures were now public property, and that whatever course Government chose to take, Parliament owed it to itself and to the country to lose no time in asserting the claims of Ireland.[1] Both Charlemont and Grattan agreed in this course, and they both refused the offers of the Government to take office. Their course was probably a prudent one, for it is quite evident from the confidential letters of the Duke of Portland that he was anxious to yield as little as possible, and it is probable that a delay would have created wide-spread suspicion, and have led to much manœuvring hostile to the popular party. Dublin was full of Volunteers who had come up for an approaching review, and on the 16th they paraded the streets and lined the path through which Grattan passed to move the legislative independence of Ireland. The nation was wound up to the highest pitch of excitement. Many thousands of spectators filled the streets, but there was no tumult or disorder. The spacious galleries of the House were crowded with all that was most brilliant and weighty in Dublin society, and in the body of the House scarcely a seat was vacant. Portland had refused to adopt the declaration of independence, or to commit himself to any definite line of policy, but a message from him was read to the House by Hely Hutchinson, now Secretary of State, to the effect

[1] Grattan's *Life*, ii. 213–227.

that 'His Majesty, being concerned to find that discontents and jealousies were prevailing among his loyal subjects in Ireland upon matters of great weight and importance, recommended to the House to take the same into their most serious consideration, in order to effect such a final adjustment as might give mutual satisfaction to his kingdoms of Great Britain and Ireland.' Hutchinson accompanied the message with a few words in which, while disclaiming all authority from the Lord Lieutenant, he expressed his personal sympathy with the popular cause. A formal reply, thanking the King for his goodness and condescension, and assuring him that the Commons would act on his recommendation, was moved by George Ponsonby, and it was then that, after a short pause, Grattan rose to move as an amendment a declaration of rights and grievances.

He was still pale and weak from recent illness, and his appearance denoted the evident anxiety of his mind, but as he proceeded his voice gathered strength, and the fire of a great orator acting on a highly excited and sympathetic audience, soon produced even more than its wonted effects. The strange swaying gestures, which were habitual to him, were compared by one observer to the action of the mower as his scythe sweeps through the long grass, and by another to the rolling of a ship in a heavy swell; but he possessed beyond all other orators the peculiar gift of illuminating a subject with an almost lightning-like intensity, and his speeches, with much that is exaggerated and overstrained, contain some of the finest examples in the English language of great energy and vividness, and condensed felicity of expression. On the present occasion he knew that the Parliament was with him, and he treated the victory as already won. He described in a few picturesque words the progress of the nation 'from injuries to arms, and from arms to liberty,' till 'the whole faculty of the nation was braced up to the act of her own deliverance,' and the spirit of Swift and of Molyneux had prevailed; and then, after a very exaggerated but perhaps not impolitic eulogy of the Parliament and public of Ireland, he touched with much discrimination on the services rendered by the volunteers to the cause he was defending. 'It was not the sword of the volunteer, nor his muster, nor his spirit, nor his promptitude to put down accidental disturbance or public dis-

order, nor his own unblamed and distinguished deportment. This was much, but there was more than this. The upper orders, the property, and the abilities of the country formed with the volunteer, and the volunteer had sense enough to obey them. This united the Protestant with the Catholic, and the landed proprietor with the people. There was still more than this. There was a continence which confined the corps to limited and legitimate objects. . . . No vulgar rant against England, no mysterious admiration of France. . . . . They were what they professed to be, nothing less than the society, asserting her liberty according to the frame of the British constitution, her inheritance to be enjoyed in perpetual connection with the British empire. . . . . And now having given a Parliament to the people, the volunteers will, I doubt not, leave the people to Parliament, and thus close specifically and majestically a great work. . . . . Their associations, like other institutions, will perish; they will perish with the occasion that gave them being, and the gratitude of their country will write their epitaph. . . . Connected by freedom as well as by allegiance, the two nations, Great Britain and Ireland, form a constitutional confederacy as well as one empire. The crown is one link, the constitution another, and in my mind the latter link is the most powerful. You can get a king anywhere, but England is the only country with whom you can participate a free constitution.'

He concluded by moving an address to the King, asserting that while the crown of Ireland was inseparably united to that of England, Ireland was by right a distinct kingdom, that her King, Lords, and Commons and these alone, had a right to bind her, and that the discontents and jealousies of the nation were chiefly due to three great infringements of her freedom. These were the claims advanced by the British Parliament in the Act of George I. to legislate for Ireland and exercise a right of final judicature, the power exercised under Poyning's law by the Privy Council to suppress or alter Irish Bills, and the perpetual Mutiny Act, which placed the Irish army beyond the control of the Irish Parliament. The address concluded with reminding his Majesty that 'the people of this kingdom have never expressed a desire to share

the freedom of England without declaring a determination to share her fate likewise, standing or falling with the British nation.'[1]

The address was seconded by Brownlow, and it passed unanimously. A few days later the House adjourned to the 4th, and then to the 27th of May, to await the King's reply to their addresses. Meanwhile the volunteer corps all over Ireland were sending up resolutions thanking Grattan and the Parliament for their declaration, and pledging themselves to support the demands it contained with their 'lives and fortunes,' and the grand juries in many counties took a similar step. To understand the true feelings of the Government we must pass once more into the Viceregal Cabinet, and examine the letters in which Portland confidentially reported to the ministers the state of the country. Immediately after his arrival we find him complaining to Shelburne that 'heats and passions' 'have taken a much stronger and fuller possession of the people here than your Lordship or any person on the other side of the water can possibly be aware of,' deploring 'the absolute submission which is paid to the volunteers by every rank and order of men,' and to Grattan as their mouthpiece, and concluding that nothing will restore quiet to the country short of a modification of Poyning's law, and 'such a relaxation of the 6 Geo. I. respecting the Legislation, which is the great object upon which the expectations of the whole country are fixed, as may render it independent of the Legislature of Great Britain with respect to the interior government of this country, and the alteration of the present Mutiny Act.'[2] 'Although the question of independent legislation had been four times agitated in the space of the last two years, only one man among all the servants of the Crown and the numerous and zealous friends of Government was bold enough to resist the doctrine of right. All the others that composed that corps fled from the question, and skulked either under the improbability of Great Britain attempting it, or the impossibility of her exercising it.'[3] He was much struck and mortified by observing how little the Irish Parliament moved in the lines of English parties, how little its members attributed any con-

[1] Grattan's *Speeches*, i. 123-130. 1782. Commons' *Journals*, xx. 352-353.

[2] Portland to Shelburne, April 16, 1782.

[3] April 24, 1782. Portland to Shelburne.

cessions to the change of ministry, and how sincere a respect they entertained for Lord Carlisle. Grattan, indeed, to a great degree, and Charlemont to a still greater, identified himself with the Whig party, but in general the change of Government was not deemed, from an Irish point of view, a matter of any material moment. Parliament passed a warm vote of thanks to Lord Carlisle for his conduct when administering Ireland, and it was commonly believed that it was the intention of the late ministry 'to renounce the right, and that they only waited till matters were ripe.' 'You are not,' Portland said, 'considered here better friends to the constitution . . . than your predecessors.' It is the almost universal foible of Irish members to speak of 'the uniform support' they have 'given to English Government.' 'By this sort of conduct the distinction between administration and government is so totally lost that it can hardly be said to exist . . . Gentlemen being strongly impressed with the justice of their claims and satisfied of the pretended disposition of the last administration, have construed the assurances I was empowered to give them of the good wishes of the present ministers not as the consequence of a revolution in their favour, but as the execution of the plan which they had forced their preceding Governor to adopt.' 'I have had the mortification of observing the public expectation of carrying all the points stated in the addresses of the two Houses acquires daily strength, insomuch that I can give little or no hope of their receding upon any one of them.' 'There is not a difference of opinion respecting the universality of the expectations . . . It is no longer the Parliament of Ireland that is to be managed or attended to. It is the whole of this country. It is the Church, the law, the army, I fear, when I consider how it is composed, the merchant, the tradesman, the manufacturer, the farmer, the labourer, the Catholic, the Dissenter, the Protestant, all sects, all sorts and descriptions of men, who, I think mistakenly upon some points, but still unanimously and most audibly, call upon Great Britain for a full and unequivocal satisfaction.' The rumours of an approaching peace are 'a matter of perfect indifference to them with regard to the subject matter of their demands. They know and feel their strength, and are equally sensible of your situation and resources. They

are not so ignorant of the effects of a peace as not to be convinced that if you had the good fortune to conclude one to-morrow, it would not be in your power to send over such a force as would compel them to relinquish their claims, and having so recent an example of the fatal consequences of coercive measures before you, they are in no fear that Great Britain will attempt a second experiment of the same sort. But to do them the justice they deserve, I think I may assert that they have still so much confidence in the magnanimity, generosity, and wisdom of the English nation as to believe that the redress they ask depends not upon any foreign or domestic occurrence. . . . I undertook this important and arduous employment with hopes which I had soon the mortification to be obliged to relinquish.' If the Irish demands were now refused, 'there would be an end of all government.'[1]

A few days later, Portland expressed his hope that if the material points in the addresses were conceded, 'the royal favours may be dispensed in this kingdom with a more sparing and economical hand;' that 'the honour of serving the Crown may take precedence of the endowments to which I fear the attention of the King's servants in this kingdom has been of late too much fixed;' and he added his conviction that the Irish people 'will, if properly directed, return the generosity of his Majesty and the Parliament of Great Britain tenfold into the bosom of their friends and protectors.'[2] He made no secret to the Government of his extreme dislike to the constitution he recommended. 'Though I feel the strongest and most poignant reluctance in being obliged to recommend the mode of relation which I have taken the liberty to suggest, I see no other resource, for I am convinced that the spirit of this country is raised so high that she would expose herself to any hazard rather than relinquish or retract any of the claims she has insisted on through her Parliament;'[3] but he fully agreed with Shelburne that a negotiation should be entered into with commissioners authorised by the Irish Parliament, to determine finally and definitely the exact limits of the independence, the superintending power of England in matters of trade, the consi-

[1] April 24, 1782. Portland to Shelburne.
[2] April 27, 1782. Ibid.
[3] May 6, 1782. Ibid.

deration to be given by Ireland for protection, and the share to be contributed by her to the general support of the empire. Without some such arrangement he even doubted whether the country would be worth possessing.[1] Such a distinct agreement Shelburne strongly maintained was necessary to put an end to all further disputes between the two countries, to give a unity to their policy, and to attach them in their new conditions by a firm bond of connection.[2]

Grattan, however—as I conceive very unwisely—refused to enter at this time into any such treaty. He urged that the Irish declaration related to matter of right, and would therefore be compromised if it were made the subject of negotiation and barter. He shared with most Irishmen a strong dread lest what was given should be indirectly drawn back, lest the full competence of the Irish Parliament to determine the policy and dispose of the resources of the country should be abridged, lest it should be bound by rules which placed it on a lower plane of authority than the Parliament in England. 'We cannot,' he said, 'establish perpetual regulations more favourable to England than to Ireland with regard to commerce, a fluctuating subject which cannot be ruled but by occasional laws.' He spoke of 'the alienated sentiment which a negative, or a negotiation founded on an ultimatum would inspire;' of the inevitable tendency of a negotiation at this moment to throw the nation into a defensive attitude, to prolong a crisis which it was necessary for the peace of both countries to terminate as quickly as possible, to arouse suspicions and to impair gratitude. For the present, at least, he chose that the bond between England and Ireland should be in law of no other kind than that which in our own day binds England to Canada or her Australian colonies, and that the support Ireland gave to England in war should be a free and an unstipulated act.[3]

It was plain that whatever negotiations were made they must be subsequent to a surrender by England of the chief points at issue. We have committed ourselves, Grattan wrote to Fox, only to measures which are indispensable to our freedom

[1] May 6, 1782. Portland to Shelburne.

[2] Shelburne to Portland, May 18, 1782.

[3] See his letter to Day (April 22). Grattan's *Life*, ii. 249–252.

and which you have thought indispensable to yours. 'The powers, legislative and jurisdictive,' claimed by England 'are become impracticable. We have rendered them so ourselves, and all we ask of England is that she will withdraw a barren claim, that we may shake hands with her.'[1] 'If you delay, or refuse to be liberal,' wrote the Duke of Portland, 'Government cannot exist here in its present form, and the sooner you recall your Lieutenant and renounce all claim to this country the better. But, on the contrary, if you can bring your minds to concede largely and handsomely, I am persuaded that you may make any use of this people, and of everything that they are worth, that you can wish.'[2]

In accordance with this opinion resolutions were brought forward on May 17, in the English House of Lords by Shelburne, and in the English House of Commons by Fox, for the purpose of giving satisfaction to Ireland. The first resolution announced the opinion of the House that the Declaratory Act of George I. should be repealed. The second stated that 'it was indispensable to the interest and happiness of both kingdoms that the connection between them should be established by mutual consent upon a solid and permanent footing, and that an humble address should be presented to his Majesty that his Majesty will be graciously pleased to take such measures as his Majesty in his royal wisdom should think most conducive to that important end.' Lord Carlisle was one of the first to express his warm approval of these resolutions, and he bore ample testimony to the zeal and loyalty of the Irish, and to the services of the volunteers during his administration. In the Commons, Fox enumerated the different demands of the Irish, and announced the resolution of the Government to concede them absolutely and unconditionally. They were determined to repeal the Declaratory Act of George I., to abandon the appellate jurisdiction of the English House of Lords, to consent to such a modification of Poyning's law as would annihilate the exceptional powers of the two Privy Councils, and to limit the Mutiny Act. He would 'meet Ireland on her own terms and give her everything she wanted in the way she herself seemed to wish for it.' At the same time he intimated that a formal treaty

[1] Grattan's *Life*, ii. 243-250. [2] Ibid. pp. 274-275. (Private and confidential.)

should be made between England and Ireland 'establishing on a firm and solid basis the future connection of the two kingdoms.' At present, however, he proposed no such treaty, and contented himself with suggesting that Commissioners might at some future time be appointed to negotiate it. Of the volunteers he spoke with warm eulogy. 'They had acted with temper and moderation notwithstanding their steadiness and . . . . had not done a single act for which they had not his veneration and respect.' 'The intestine divisions of Ireland,' he added, 'are no more; the religious prejudices of the age are forgotten, and the Roman Catholics, being restored to the rights of men and citizens, would become an accession of strength and wealth to the empire at large, instead of being a burthen to the land that bore them.'[1]

It is a striking proof both of the necessity of these concessions and of the grace and dignity with which that necessity was accepted, that the two resolutions I have cited passed unanimously through the House of Commons, and with the single negative of Lord Loughborough, through the House of Lords.

The promises of Fox were fully kept; a Bill repealing the 6 Geo. I. was at once introduced, and in due course carried through the English Parliament, and when the Irish Parliament met on May 27, 1782, the Duke of Portland was instructed to announce to it that the King was prepared to give his unconditional assent 'to Acts to prevent the suppression of Bills in the Privy Council of this kingdom, and the alteration of them anywhere,' and to limit the duration of the Mutiny Act to two years. Grattan, immediately after the speech from the throne was read, rose to move an address of thanks and to express in the strongest terms his full satisfaction with what was done. 'I understand,' he said, 'that Great Britain gives up *in toto* every claim to authority over Ireland. I have not the least idea that in repealing the 6 Geo. I. Great Britain should be bound to make any declaration that she had formerly usurped a power. This would be a foolish caution, a dishonourable condition, and the nation that insists upon the humiliation of another is a foolish nation. . . . . Another point of great magnanimity in the conduct of Britain is that everything is given up unconditionally.

[1] *Parl. Hist.* xxiii. 17–48.

This must for ever remove suspicion. . . . . The whole tenour of the conduct of the British minister towards us has been most generous and sincere.'[1] The address stated the full satisfaction of Parliament, and contained words which afterwards occasioned much discussion. 'We do assure his Majesty that no constitutional question between the two nations will any longer exist which can interrupt this harmony, and that Great Britain, as she has approved of our firmness, so may she rely on our affection.' The first clause of this paragraph did not pass without some adverse comment, but two members only voted against it.[2]

The remaining proceedings of the Irish Parliament during this memorable administration, though very important, may be briefly told. It in the first place evinced its gratitude to Almighty God by a day of thanksgiving 'for the many blessings of late bestowed on this kingdom, and particularly for that union, harmony, and cordial affection happily subsisting between the two kingdoms,' and also its gratitude to England by voting 100,000*l.* towards furnishing 20,000 additional sailors for the British navy. Grattan himself, who was, as he said, 'desirous above all things next to the liberty of the country, not to accustom the Irish mind to an alien or suspicious habit with regard to Great Britain,[3] moved the latter resolution, and the volunteers pledged themselves in their different counties to employ their influence in raising the recruits. Shelburne warmly acknowledged this timely assistance,[4] but he desired something more. He had never cordially acquiesced in the pledge which England had given under Lord Townshend, that 12,000 of the troops on the Irish establishment should be

[1] Grattan's *Speeches*, i. 132–134.

[2] It is plain that the phrase was not resented by the Government, for in the answer of the King to the address, he said: 'The declarations of the House of Commons that no constitutional question between the two countries will any longer exist, that can interrupt their harmony, and that Great Britain may rely on their affections, are very pleasing to his Majesty.' —Commons' *Journals*, xx. 404.

[3] Grattan's *Life*, ii. 251–252.

[4] 'Words could scarcely do justice to the grateful sense of Ireland on the occasion. . . . . He believed he might assure the House that Ireland had resolved on a very extraordinary proof of its gratitude, no less than giving 20,000 seamen to the British navy. Such a gift as that was a solid, substantial, and real advantage. It would tell abroad, and could not fail to prove of the most essential service to Great Britain. This, therefore, proved that Ireland was satisfied; indeed it was agreed in that kingdom that there now remained no other constitutional point to be settled between the two countries.'— *Parl. Hist.* xxiii. 94.

always kept in Ireland for its defence, except in case of actual invasion or rebellion in England, and he now sounded Portland as to the possibility of modifying or cancelling the engagement.[1] There was no information, he said, of any intended attack on Ireland, but there was great fear of a sudden attack on the English seaports while the fleet continued inferior to that of the enemy, and in this case there were neither troops nor fortifications in England sufficient for its defence. It was greatly to be wished that England could avail herself of some of the regular forces now in Ireland if means could be discovered 'for getting over any difficulty arising from the engagements formerly entered into, which, however unadvisable and unwarrantable at the time, require to be attended to.' The Irish Parliament at once acceded to the wishes of the minister, and authorised the King at any time before December 25, 1783, to withdraw from Ireland an additional force of 5,000 men.[2] The measure was far from pleasing to Portland, for it threw the country almost wholly into the hands of the volunteers, and Portland, though he was carrying out a popular policy, looked upon that force with much more jealousy and dislike than his predecessor. He represented to the Government that if 5,000 troops were withdrawn there would not be sufficient in Ireland for the country guards; that 'although the volunteers had uniformly and very much to their credit been ready to co-operate with the civil magistrate in enforcing obedience to the laws,' he 'had great reason to doubt of the same disposition being shown in support of the revenue officers;' that they had so little camp equipage that few in case of invasion could be employed at distances from their neighbourhoods; that they were not likely to take commissions under the Crown, or to place themselves under the Articles of War; that they were chiefly concentrated in Ulster, and that Munster was the province most liable to invasion.[3] Ultimately, however, 3,245 troops out of the 5,000 were sent to England.[4]

Another class of measures which were now brought to a completion were those for abolishing the chief disabilities that divided different sections of Irishmen. The penal laws against

[1] June 8, 1782. (Secret.) Shelburne to Portland.
[2] 21 & 22 George III., ch. 58.
[3] July 18, 1782. Portland to Townshend.
[4] July 31, 1782. Ibid.

the Catholics had been a great subject of discussion during the administration of Carlisle, but it was only in the succeeding administration that the measures that were determined upon were finally carried. There was a general agreement in Parliament that the policy of reconciliation which had inspired the Relief Bill of 1778 should be extended, but there was much difference as to the degree, and there was a strong, and at this time successful opposition, supported by Flood in the Commons and by the bishops in the Lords, to giving Catholics any measure of political power. The penal laws formed so large and complicated a system that Gardiner thought it advisable to divide his propositions into three Bills. The first, which was called 'An Act for the further relief of his Majesty's subjects professing the Popish religion,'[1] applied to all Catholics who had taken the oath of allegiance and declaration enacted under Lord Harcourt. It enabled them to purchase and bequeath land like Protestants, provided it was not in a parliamentary borough. It abolished a number of obsolete laws making it penal for Catholic bishops or regulars to subsist in the country, subjecting priests to the necessity of registration, enabling any two justices of the peace to oblige Catholics to declare on oath where they last heard mass, and forbidding Catholics to live in Limerick or Galway. These concessions, however, were encumbered with some slight restrictions, and the Act expressly reaffirmed the provisions against proselytism, against perversion to Catholicism, against Catholics assuming ecclesiastical titles or rank, or wearing vestments outside the precincts of their chapels, against chapels having steeples or bells, and against priests officiating anywhere except in their accustomed places of worship. Some grossly oppressive enactments which were still in force were at the same time repealed. A Protestant could no longer appropriate the horse of his Catholic neighbour if he tendered him 5*l*. Horses of Catholics could no longer be seized at every alarm of invasion. Catholics were no longer obliged to provide Protestant watchmen at their own expense, or to reimburse the damage done by the privateers of an enemy. By a second Bill[2] they were allowed to become schoolmasters, ushers, and private tutors, provided they took

[1] 21 & 22 George III., ch. 24.

[2] 21 & 22 George III., ch. 62.

the oath of allegiance and subscribed the declaration, received a licence from the ordinary, and took no Protestant pupils. A Popish university or college, or endowed school, was still forbidden in Ireland, but Catholic laymen were now permitted to be guardians to Catholic children.

These two measures became law, but a third, intended to legalise intermarriages between Protestants and Catholics, was ultimately defeated. The administrations of Carlisle and Portland refused to adopt the Catholic Bills, but they were on the whole very favourable to them, and Grattan and some of the more conspicuous members of his party would have carried them much further. 'The question is now,' Grattan said, 'whether we shall be a Protestant settlement or an Irish nation, ... for so long as we exclude Catholics from natural liberty and the common rights of man we are not a people. . . . . As the mover of the Declaration of Rights, I should be ashamed of giving freedom to but 600,000 of my fellow-countrymen, when I could extend it to two millions more.' Experience has not verified his anticipations of the results that would follow from bringing Catholics within the pale of the constitution, but those anticipations appeared extremely probable in the state of religious thought prevailing before the great convulsions of the French Revolution. 'The indulgence,' he said, 'we wish to give to Catholics can never be injurious to the Protestant religion. That religion is the religion of the State, and will become the religion of Catholics if severity does not prevent them. Bigotry may survive persecution, but it can never survive toleration. Gentlemen who speak of the enormities committed by Catholics . . . do not take into account the enlightening and softening of men's minds by toleration; nor do they consider that as they increase in wealth they will increase in learning and politeness.'[1] The opposition to carrying measures in favour of the Catholics further than Gardiner's Bills was exceedingly powerful, for it comprised nearly all the bishops, some of the principal borough-owners, and also

[1] *Parl. Debates*, i. 257–259. So in a speech on tithes a few years later, he said: 'What Luther did for us philosophy has done in some degree for the Roman Catholics, and th religion has undergone a silent reformation; and both divisions of Christianity, unless they have lost their understanding, must have lost their animosity though they have retained their distinctions.'

Charlemont and Flood. There was a general feeling that the repeal of the penal laws should be effected by degrees, and the Relief Bills of 1778 and of 1782 did undoubtedly mark two great stages in the direction both of religious toleration and of national unity.

In the same session the last serious grievance of the Protestant dissenters was removed. They had already been freed from the vexatious prosecutions and penalties to which they had been liable on account of the marriages celebrated in their meeting-houses by their ministers, but the legal validity of those marriages was very doubtful. A short Act was now passed to set those doubts at rest, and to give Protestant dissenting ministers, as far as their co-religionists were concerned, the same right of celebrating valid marriages as Anglican clergymen.[1] It is worthy of notice that it was only in 1836 that the Imperial Parliament, under the influence of Lord John Russell, granted a similar boon to the dissenters in England.

Acts were at the same time passed repealing the greater part of Poyning's law, confirming a large number of British statutes relating to Ireland, limiting the Mutiny Act, and establishing the right of final judicature in Ireland, and the independence of the Irish judges.[2] One other measure also was taken of a different kind. The man who during the last anxious years had stood forth from his countrymen beyond all rivalry and all comparison was Henry Grattan. His splendid eloquence, the perfect confidence which was felt in his honour and in his disinterestedness, the signal skill, energy, and moderation with which he had at once animated and controlled the patriotic party, were universally acknowledged, and at this time, almost universally admired. He had shown that it was possible to combine very ardent attachment to Irish interests with a not less loyal devotion to the connection, and to conduct a great popular movement without any of the violence, the dishonesty, or the untruthfulness of a demagogue or an agitator. One of the most incontestable signs of the profound degradation of modern political opinion in Ireland is the class of men who have risen to be popular idols. One of the best signs of the Ireland of 1782 was the ardour with which popular gratitude

[1] 21 & 22 George III., ch. 25.
[2] 21 & 22 George III., ch. 43, 47, 48, 49, 50

still centred upon Grattan. The son of the Recorder of Dublin, he was a man of good family, but of very modest patrimonial estate, and as he had refused the offers of the Government, and had announced his intention to accept no office carrying emoluments, from Government, he was quite prepared to resume his profession as a barrister; but Parliament, expressing in this respect most faithfully the general sentiment of the country, determined to bestow on him such a gift as would at once mark the gratitude of the nation for his services and enable him to devote his undivided energies to political life. Without the consent or knowledge of the intimate personal friends of Grattan, Bagenal, one of the members for the county of Carlow, moved that a grant of 100,000*l.* should be made to Grattan, and the proposition was unanimously accepted; but Grattan's particular friends at his instance interposed, and declared that nothing would induce him to accept such a grant. At last, however, after some discussion, and acting on the advice of his friends, and upon the urgent wish of the Parliament, he agreed to accept 50,000*l.*, and from this time he gave up all thought of practising at the bar, and devoted himself exclusively to the service of his country.[1] Government would gladly have attached him to themselves by rewarding him from the pension list, and Portland even offered to confer upon him the new Viceregal Lodge in Phœnix Park, but he soon found that these offers were wholly unacceptable.[2]

In this manner, without the effusion of one drop of blood, and with singularly little of violence and disorder, the whole constitution of Ireland was changed, and a great revolution was accomplished, which Burke described without exaggeration as the Irish analogue of the English Revolution of 1688.

[1] 'Nothing could have prevented the vote in favour of Mr. Grattan amounting to as large a sum, or possibly exceeding that given towards raising seamen, but the interposition and firmness of Mr. Grattan's own particular friends, who assured the House that Mr. Grattan himself would be very unwilling to accept anything, and would certainly refuse so glaring a mark of profusion.'—June 5, 1782. (Private.) Portland to Shelburne. See, too, on this grant, Barrington's *Rise and Fall of the Irish Nation*, ch. xi. Grattan's *Life*, ii. p. 304–305.

[2] The merits of this offer are somewhat diminished by the following paragraph relating to it in Portland's confidential correspondence with Shelburne: 'For this I was the more anxious, as in addition to the very extravagant price the public has agreed to pay for it, I am persuaded that it will require at least 10,000*l.* to make it fit for the reception of any chief governor.'—Portland to Shelburne, June 5, 1782.

Abuses, perplexities, and dangers no doubt lay thickly around the infant constitution. The extreme difficulty of making it work in harmony with the Parliament of England; the excessive concentration of political power in a very few hands; religious and historical antipathies, great ignorance and great poverty, the exclusion of more than three-fourths of the population from all political rights, scandalous abuses of patronage, and many forms both of corruption and of anarchy still continued. Yet when all this is admitted, a noble work had been nobly achieved. Ireland from the slave of England had now risen to the dignity of independence. She participated at last in all that was best in the English constitution. Her religious animosities were rapidly fading beneath the strong national sentiment which had arisen, assisted by the intellectual tendencies of an eminently tolerant age. She had regained her freedom both of commerce and manufacture, and might reasonably hope with returning peace to attain some measure of material prosperity. After a long winter of oppression and misery, the sunlight of hope shone brightly upon her, and a new spirit of patriotism and self-reliance had begun to animate her people. Nor had her loyalty to England ever shown itself more earnest or more efficacious. The intellect, the property, the respectability of the country still led the popular movement, and as long as this continued no serious disloyalty was to be apprehended. A remarkable letter written at this time by Burke to Charlemont expressed with much vividness the prevailing sentiments of the best Irishmen. 'I assure you,' he said, 'that I take a sincere part in the general joy, and hope that mutual affection will do more for mutual help and mutual advantage between the two kingdoms than any ties of artificial connection. . . . I am convinced that no reluctant tie can be a strong one, and that a natural cheerful alliance will be a far securer link of connection than any principle of subordination borne with grudging and discontent.'[1]

[1] Grattan's *Life*, ii. p. 301.

END OF THE FOURTH VOLUME.

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